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THE NORMATIVE ETHICS OF GANDHIAN NONVIOLENCE

A thesis submitted in partial fulfillment of the
requirements for the degree of
Master of Humanities

By

JACOB NATHANIEL BAUER
B.A., Wright State University, 2011

2013
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WRIGHT STATE UNIVERSITY

GRADUATE SCHOOL

December 10, 2013

I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY Jacob Nathaniel Bauer ENTITLED The Normative Ethics of Gandhian Nonviolence BE ACCEPTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF Master of Humanities.

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ABSTRACT

Bauer, Jacob Nathaniel. M.Hum. Master of Humanities Program, Wright State University, 2013.Gandhian Nonviolence and Normative Ethics.

This thesis examines Mahatma Gandhi's ethical views on nonviolence from the perspective of contemporary philosophical ethics. Gandhian nonviolence is situated in the field of contemporary ethics by using the concepts and terminology from Shelly Kagan's work, *Normative Ethics*. Three questions are asked that classify and clarify Gandhian nonviolence. First, is nonviolence primarily instrumentally or intrinsically significant? This question is closely tied to the second, does Gandhian nonviolence belong to which type of ethical theory, consequentialism or deontology? And third, is nonviolence an absolutist constraint or a high threshold that allows for exceptions? Gandhi views nonviolence as both instrumentally and intrinsically valuable; however, of the two, Gandhi considers nonviolence to be primarily intrinsically significant. As such, Gandhian nonviolence is properly considered a deontological constraint. Even though he admits that nonviolence is often an impossible mandate, Gandhi considers the moral law of nonviolence to be absolute. This work concludes that Gandhian nonviolence should properly be considered as an absolutist deontological principle.

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1. INTRODUCTION, METHOD, AND TERMINOLOGY

1.1 Introduction

There is no greater testimony to the power of Gandhian nonviolence than its achievement of the independence of India in 1947. Instead of through war and revolt, India obtained freedom largely through nonviolent resistance, which was guided by Mohandas K. Gandhi's philosophy of nonviolence. Gandhi is credited as the father of India's independence, and was affectionately dubbed by the nation as Mahatma, "great soul." Since then, nonviolent resistance has been used innumerable times against injustice, as a substitute for more conventional violent means. Most notably, Martin Luther King Jr. studied Gandhi's philosophy of nonviolence and put it into practice in the United States' civil rights movement. And so Gandhian nonviolence has made and will continue to make marks upon history.

Research concerning Gandhian nonviolence is mostly in the realm of history and political science. However, to Gandhi, nonviolence was more than a strategic political method; it was a way of life. Nonviolence is, in its roots, an ethical principle. For Gandhi, it is the ethical principle of nonviolence that leads to the implementation of the powerful tool of nonviolent resistance. In this sense, Gandhi was much more of a philosopher than a politician. In fact, Gandhi frequently made conscious attempts to avoid politics,

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engaging in politics only when he felt ethically bound to.[1] Nonetheless, many find that Gandhi's views on nonviolence were either too contradictory or too ordinary to warrant serious philosophical investigation. As such, there is relatively little work done on Gandhi from a purely western philosophical standpoint. The work that has been done tends to treat Gandhi as a political philosopher, which certainly has value. However, there is a need for more work on Gandhi from the perspective of ethical philosophy. In particular, there is a need to articulate Gandhi's views on nonviolence in contemporary philosophical language and format.

1.2. Method

I will treat Gandhi's conception of nonviolence as a philosophical ethical principle. I will draw principally from Gandhi's own words. Nonviolence is perhaps the most reoccurring concept in Gandhi's prolific writings. Gandhi wrote only a handful of short books; however, he started and edited several newspapers, to which he regularly contributed articles. He also wrote countless letters. He wrote feverishly; the result is that the *Collected Works of Mahatma Gandhi*[2] comprises of over 98 volumes, totaling in over 50,000 pages of text; the index alone is over 1000 pages!

Although Gandhi's view of nonviolence develops over time, the core of Gandhian nonviolence remains relatively unchanged from as early as his first book *Hind Swaraj*

1 "To see the universal and all-pervading Spirit of Truth face to face one must be able to love the meanest of creation as oneself. And a man who aspires after that cannot afford to keep out of any field of life. That is why my devotion to Truth has drawn me into the field of politics" (*Autobiography* 454); "If I seem to take part in politics, it is only because politics encircles us today like the coil of a snake from which one cannot get out, no matter how much one tries." (*CW* 20:304).

2 The *Collected Works of Mahatma Gandhi* will be the most cited work in this project. It will be abbreviated in citations as *CW.*

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(1909). With such a gigantic amount of writings, it is unavoidable that Gandhi contradicts himself at times (at least on a superficial level). When Gandhi's various accounts of nonviolence contradict each other, I will give credence first to the most sound position, and second, when the strongest position is unclear, to Gandhi's later position chronologically.

It is impossible to comprehensively interpret Gandhian nonviolence through contemporary ethical philosophy. This is because the contemporary field of ethics is immense. The field of ethics is commonly split into three fields: metaethics, normative ethics, and applied ethics. *Metaethics* deals with 'second-order' ethical questions, which ask how ethical arguments can be justified and how to define basic ethical terms. Examples of metaethical questions include: 'what is morality?', 'how should we define good or bad?', 'can moral principles be true or false?' *Normative ethics* deals with questions concerning how individuals should live and act, which generally involves forming and defending a set of ethical principles to live by. *Applied ethics* deals with questions concerning the moral status of specific types of actions, such as abortion, euthanasia, war, etc. Applied ethics, as the name suggests, applies one or many normative theories to specific cases.[3]

Arguing for a philosophical version of Gandhian nonviolence belongs to the second field, normative ethics. The philosopher Shelly Kagan breaks the field of normative ethics into two sub-fields: normative factors theory and normative foundations

3 See Fieser, introduction, and Kagan, section 1.1 “What Normative Ethics”, for further discussions on the metaethics, normative ethics, and applied ethics distinction.

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theory (19). Normative factors theories attempt to describe what elements are morally relevant concerning how we should act. Normative factors are ethically relevant facts concerning a situation; they are factors which determine the moral status of an action. For example, many would agree that the possibility of saving lives or a right to self-preservation are normative factors; if applicable, they are morally relevant elements of a situation. In contrast, most would agree that the color of a person's eyes or the day of the week are not normative factors. Normative foundation theories argue for proper fundamental principles to justify particular sets of normative factors. Normative foundation theories argue why certain sets of normative factors are correct. So a normative factors theory could *claim* that saving lives is a correct moral factor; a normative foundation theory could attempt to *explain why* saving lives is morally relevant. A full normative theory would include both a factors theory and foundation theory.

Creating a comprehensive normative theory of nonviolence is beyond the scope that a single thesis can cover. As such, I will deal primarily with normative factors, not foundations. It is important to determine the foundations of Gandhian nonviolence, but the normative factors of nonviolence, at least the major ones, must first be outlined. I initially wanted to argue for a foundation to nonviolence, but found that Gandhi's nonviolence needed to be philosophically articulated first, and this was a thesis length project in and of itself. We must first know what Gandhi's building looks like, at least its

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basic shape and figure, before we can build a foundation to support it.[4] I will focus on the first step toward a complete ethical theory: determining what normative factors are involved concerning Gandhian nonviolence and how they relate to each other. Instead of aiming at a total theory of nonviolence, I will pursue a more manageable goal of a theory of normative factors of nonviolence. Even this cannot be comprehensive, but a beginning of a theory concerning the most important moral factors is obtainable. I will argue that a coherent normative factors theory can be expressed concerning Gandhian nonviolence. By determining the normative factors of Gandhian nonviolence, we will be able to classify Gandhi's views in philosophical terminology. Even though a complete ethical theory of nonviolence is beyond the scope of this paper, a normative factors theory of nonviolence will nonetheless show that Gandhian nonviolence can indeed be expressed philosophically. Casting Gandhian nonviolence in philosophical language will aid in resolving Gandhi's apparent contradictions and clarify his reasons for his moral stance. This will be useful for further research concerning what foundational theory would be best suited for Gandhian nonviolence (which would make for a complete normative theory), and also set the basis for further work in Gandhian applied ethics (and perhaps even metaethics).

To accomplish this goal, I will use Shelly Kagan's work, *Normative Ethics* as a primary source (although of course other philosophers will be referred to as well). In his

4 There is the metaethical view that the proper way of ethics is to build a foundation and then derive an ethical factor theory from that foundation, that we must first build a foundation before assembling the rest of the structure. I will not engage this debate here. For the purposes of creating a normative theory of Gandhian nonviolence, it is necessary to first attempt to understand what normative factors nonviolence implies and how these factors interact, before attempting to give it a foundation.

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book, Kagan does not commit to any theory of normative factors, but offers extensive discussions of the most likely candidates. Kagan separates his discussion of normative factors into three main categories: normative factors concerning the good, doing harm, and other. Since it is most relevant, I will primarily apply Kagan's discussion of normative factors of doing harm to Gandhi's writings concerning nonviolence, though the other sections may be referred to as well.

There are three questions that I will ask that will classify and clarify Gandhian nonviolence as normative factors theory. First, is nonviolence primarily instrumentally or intrinsically significant? This question is closely tied to the second, does Gandhian nonviolence belong to which type of ethical theory, consequentialism or deontology? And third, is nonviolence an absolutist constraint or a high threshold? The first two questions will be answered side by side in chapter 2. I will argue that Gandhian nonviolence is both instrumentally and intrinsically valuable; however, Gandhi considers nonviolence primarily intrinsically significant. As such, Gandhian nonviolence is properly considered a deontological constraint. In chapter 3, I will ask the third question of whether nonviolence is absolute or a threshold. Even though he admits it is often an impossible mandate, Gandhi considers the moral law of nonviolence to be absolute.

1.3 Terminology – *Non*violence, *Un*-violence, Nonviolent Resistance, Violence

A major problem in any discussion of nonviolence is the term itself, '*non*violence.' The term 'nonviolence,' as a family resemblance term, is used successfully in many different ways with important and subtly different meanings. A necessary first step is to

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clarify how I will be using the term in contrast with other common usages. The term nonviolence is commonly used in three ways: as a simple lack of violence, as a method of political engagement, and as a moral principle. I will use 'nonviolence' primarily in the last sense, as a moral principle, as it is closest to Gandhi's usage. I will distinguish between the other usages by using the terms 'un-violence' and 'nonviolent resistance.'

1.3.1 Un-violence – "Nonviolence of the Weak"

For Gandhi there is a distinction between the broader concept of *non*violence and simple negative *un*-violence.[5] Un-violence stands for a simple lack of violence, no violence. Gandhi describes un-violence in this way: "One who refrains from violence when there is no occasion for its exercise is simply unviolent and has no credit for his inaction" (*CW* 48:273). Nonetheless, a lack of violence is an important part of the broader concept of nonviolence. For Gandhi, nonviolence entails both negative and positive mandates, with the positive being primary. As such, un-violence, the negative aspect or refraining from violence, is a necessary aspect of nonviolence, though not the most important.

For Gandhi, this negative aspect of nonviolence includes refraining from injuring others both physically and mentally. "In its negative form, it means not injuring any living being, whether by body or mind" (*CW*, 15:253).[6] In addition, you are forbidden

5 William Borman briefly notes this distinction in his philosophical work *Gandhi and Non-Violence*, page 4, but does not develop it.

6 Note his usage of "any living being." For Gandhi, nonviolence applies to animals as well. Gandhi was a vegetarian, but did not oppose to using animal by-products (such as milk) as long as the animal was not harmed and well treated. This work will only focus on nonviolence applied to humans, but it is important to note that Gandhi believed that nonviolence demanded that we should avoid harming non-human animals as well.

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from harboring ill-will toward anyone, even against someone who has harmed you. Gandhi finds refraining from intending harm against another more important than the prohibition from physical harm itself. It is better to treat the disease than just the symptoms. Even though the goal is a lack of all harm, it is better to focus on stopping the desire to harm, than the desire's outward manifestations.

Gandhi viewed the negative form of nonviolence as necessary, but as the lowest form of nonviolence. If we practice this form of nonviolence alone we are not being nonviolent but merely un-violent. One common way that Gandhi characterized what we are calling un-violence is "nonviolence of the weak." We may be seeking un-violent solutions, simply because we do not have the ability to use violence successfully. If you would be willing to use violence to resolve a situation, but are not strong enough to do so, and avoid using violence because of this reason, then Gandhi would claim you are only be un-violent, using "nonviolence of the weak." Alternatively, if we only focus on un-violence, it can lead to cowardice (which he considered the opposite of nonviolence). We may be tempted to run away from situations instead of address them, by claiming that we are avoiding violence. Gandhi was vehemently opposed to this. He did not consider "nonviolence of the weak" as true nonviolence, but rather a distortion of the principle.

1.3.2 Nonviolence – *Ahimsa* – "Nonviolence of the Strong"

The term "nonviolence" comes from Gandhi's attempt to transliterate the principle of *Ahimsa* into English. The Sanskrit term *Ahimsa* literally means "no harm" or

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"no injury" and is an ethical principle within many eastern religions (Bondurant 23).[7] The term *Ahimsa* is common and recognizable by the religious in Indian society. It is somewhat foreign in the West; however, there are similarities such as the Christian notion of "loving-kindness," the biblical "turn the other cheek," and the philosophical position of Pacifism.

The term "Nonviolence" lends to a negative connotation. This makes sense according to the basic etymology of the word nonviolence; by looking at the literal meaning of the word, non + violence, it would seem that it should simply mean "no violence." A negative principle primarily tells what a moral agent should refrain from doing; a positive principle primarily tells what a moral agent should actively engage in doing. The prefix 'non-' in nonviolence makes it difficult for us to read the term with a positive connotation.[8] This, however, is exactly what Gandhi asks us to do. Instead of thinking of nonviolence solely in negative terms, as "no violence," we should think of it primarily in positive terms. A negative connotation implies that nonviolence is passive, that to participate in it we must simply refrain from certain actions. Instead, Gandhi claimed that nonviolence is essentially active. He states, "Truth and non-violence are perhaps the activest [most active] forces that you have in the world" (*Satyagraha* 358). Gandhi considers nonviolence to be a positive principle. In contrast to the intuitive

7 Some Eastern religions that consider *Ahimsa* as an ethical virtue include: Hinduism, Buddhism, and notably Jainism, in which ahimsa is the primary focus of the faith. Although Gandhi was heavily influenced by Jainism (as well as many other religions), he considered himself a Hindu.

8 This is certainly a shortcoming of using the term 'nonviolence.' It is a wonder as to why Gandhi chose the term, since he wanted it to primarily connote a positive duty. Perhaps he wanted to emphasize that universal love entails that we should give up the use of violence. Another possibility is that the opposite of violence is not refraining from harm, but rather *doing* good. So instead of thinking of nonviolence as no-violence, we should think of nonviolence as the opposite of violence.

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meaning of nonviolence, Gandhian nonviolence is a much broader concept, connoting action and love, or as Gandhi put it, "the largest love, the greatest charity" (*CW* 15:253).

A good way of thinking of positive nonviolence is to consider it synonymous with universal love. Gandhi claims, "*ahimsa* [nonviolence] . . . is not merely a negative state of harmlessness but it is a positive state of love, of doing good even to the evil-doer" (*Satyagraha* 161). Gandhi commonly uses nonviolence and love interchangeably.[9] For this reason, the positive form of nonviolence differs from un-violence. Instead of passively refraining from violence, like un-violence, nonviolence is the both the active refraining from wishing any harm to anyone (a mental activity), and even further, actively wishing all people well, through a positive state of love. Here we begin to see that nonviolence properly has a positive, active connotation, whereas, on its own, un-violence has a negative, passive connotation.

Another positive aspect of nonviolence is that it demands that we resist external violence. Since we should care for both perpetrator and victim, we should try to intervene whenever possible, to the extent of sacrificing ourselves in place of others. Nonviolence also entails resistance to internal violence, "Victory will be ours in the end, if we non-co-operate with the mind in its evil wandering" (*Satyagraha* 44). This means resistance to vices, but also the cultivation of moral virtues. Gandhi considers nonviolence the summit of all virtues; it is the primary virtue that all other virtues lead too. Among the most important of these are bravery and self-control. He heavily emphasizes bravery as a prerequisite of nonviolence: "Exercise of non-violence requires far greater bravery than

9 For an example of this, see Gandhi, *Satyagraha* 40.

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that of swordsmanship. Cowardice is wholly inconsistent with non-violence" (*CW* 36:193). We can easily see why self-control is also necessary. One must have the self-control not only to refrain from retaliating to violence with violence, but also the self-control to refrain from responding to injustice with ill will toward any individual.

Un-violence itself, the refraining of violence, is surely an important aspect of nonviolence as well. To avoid violence is indeed a necessary condition for nonviolence, but it is interesting to note that Gandhi considers un-violence to be nonviolence's "least expression" (*Satyagraha* 41). Gandhi follows this by stating that principle of nonviolence is not only "hurt" by participation in violence, but it is also "hurt by every evil thought, by undue haste, by lying, by hatred, by wishing ill to anybody" (*Satyagraha* 41-2). We can infer from this statement that, even though unviolence is a part of nonviolence, other *internal* virtues such as honesty, prudence, self-control, compassion, bravery, are more important to the principle of nonviolence. This is not to say that he does not take violence seriously, for he obviously does. Rather, he emphasizes the internal causes of violence in contrast to its outward manifestations.

It is the combination of the negative form of nonviolence and the positive form of nonviolence that culminates in what Gandhi calls "Nonviolence of the Strong." It takes bravery to respond with love and not strike back when faced with an aggressor. Gandhi states this quite boldly in the following passage:

> The practice of ahimsa [nonviolence] calls forth the greatest courage. It is the most soldierly of a soldier's virtues. … But a soldier, who needs the

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> protection of even a stick, is to that extent so much the less a soldier. He is the true soldier who knows how to die and stand his ground in the midst of a hail of bullets. (*CW* 15:253-4)

Gandhi notes that it takes more courage and strength to take a blow without retaliation than to fight back. Nonviolence of the strong demands refraining from violence because you care individually for those who could be harmed. At the same time, it demands doing everything within one's power to combat injustice, outside the use of violence.

In summary, the term nonviolence has a complex meaning in a Gandhian sense. Gandhian nonviolence signifies a moral principle that entails both a negative and positive mandate, with the positive being primary. It demands that we should refrain from the use of violence. More importantly, it demands universal love, that we love and care for every living being. We must love even our enemies, even those who commit terrible acts. Nonviolence is the supreme moral duty, in that it requires as a prerequisite many other virtues. Nonviolence also requires us to actively resist evil, to stand in the way of injustice (which leads to the next common usage of the term).

1.3.3 Nonviolent Resistance – *Satyagraha*

The term nonviolence is commonly used to describe the method that Gandhi (along with many others) developed to combat injustice or force political reform without the use of violence. An example of this usage is “We must use nonviolence against this unjust law.” Instead of 'nonviolence,' I will call this usage 'nonviolent resistance.' We

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should note the difference between Gandhian *nonviolence* and Gandhian *nonviolent resistance*. As mentioned previously, nonviolence comes from the Sanskrit *Ahimsa*. Nonviolent resistance comes from the Sanskrit *satyagraha.* The term commonly used for nonviolent resistance during Gandhi's early career was 'passive resistance.' Gandhi used the term himself for a brief time. However, the active nature of nonviolence as a principle led him to give up the term 'passive resistance' in favor of '*satyagraha*.' Gandhi wanted a term that illustrated his movement's devotion to the principle of nonviolence. Out of his dislike for his previously used term 'passive resistance,' Gandhi coined the word *satyagraha* (Bondurant 8).[10] This literally means "firmness in truth" or "holding on to truth." The truth (*satya*) held on to (*graha*) is the principle of nonviolence (*ahimsa*). Gandhi also interpreted the term as love-force.[11] The practitioner of *satyagraha* is called a *satyagrahi.*

Satyagraha encompasses the many different strategies that Gandhi used to nonviolently resist physical and social violence; thus, my translation of *satyagraha* is "nonviolent resistance" instead of its literal meaning of "firmness in truth." It is through devotion to nonviolence that *satyagraha* is born. Essentially, nonviolent resistance is putting the principle of nonviolence into action. This involves two key aspects. Practitioners of nonviolence must (1) despise and resist violence and all other forms of

10 Gandhi held a competition for creating a replacement term for 'passive resistance' and other English terms. He modified a submission from a relative to create the term satyagraha, which he felt was still an imperfect term, but much better than 'passive resistance.' For the announcement of the competition, see CW 8:31. For the announcement of the results and Gandhi's first usage of Satyagraha see CW 8:80. And for his own account of the coinage of the term, see CW 34:93 (which is chapter XII of Gandhi's out of print book Satyagraha in South Africa).

11 See *CW* 8:80 for a discussion of the meaning of *satyagraha*.

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injustice, "we must resent and resist oppression and injustice," and they must (2) harbor no ill will toward the perpetrators of injustice, "it is also our duty to bear no enmity towards the wrongdoer" (*CW* 19:144). Nonviolence requires loving everyone, including your enemies, so any harm done to any individual is wrong, and any malice held toward any individual is wrong as well. Furthermore, one has the moral obligation to fight against all violence, because the care for every individual, "*ahimsa* [nonviolence] is our supreme duty" (*Satyagraha* 42). So if we are following the principle of nonviolence, we will necessarily need to develop and participate in methods to combat injustice without the use of violence, we must partake in nonviolent resistance.

A note on the practice of nonviolent resistance: for Gandhi, it is important to distinguish between fighting against an individual and the injustice itself. Gandhian nonviolence requires the fighting against injustice itself, never the individual. This takes a bit of creativity. In short, the duty to fight violence involves convincing wrongdoers of the error of their ways: "they must realize the kinship [of all people]. And so we must take pains to devise ways and means of winning them over. This is the path of *ahimsa* [nonviolence]." He further cautions, "It may entail continuous [self-]suffering and the cultivating of endless patience" (*Satyagraha* 41).

1.3.4 Violence – *Himsa*

The last term that needs to be addressed is 'violence.' Violence is a tricky concept

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which few philosophers have attempted to unravel.[12] At many times, Gandhi seems to conflate the concepts of harm and violence, to the extent as to claiming "even the destruction of vegetable life as *himsa* [violence]" (*CW* 37:24) or killing microbes by blinking your eyes as as violence. But if violence is simply any harm, then what is harm? Kagan gives various accounts of harm, all with various strengths and weaknesses. One can define harm as simply an action that affects others' "interests adversely," or use of force, or pain, or physical injury (85-6). Furthermore, harm could be defined in a broad sense as any action that causes bad effects at anytime in the future for any sentient being. Harm could also be defined in a narrow sense, to include only the direct recipient of the action. I will not try and resolve a definition of the broader concept of harm here. Gandhi rarely attempts to define violence; I have found nowhere were he attempts to define the larger concept of harm or injury. A definition of harm belongs primarily in the realm of meta-ethics, a realm I do not have the space to delve into in this section. We will have to rely on our intuitive, implicit notion of harm and injury for this present work.

Besides, it is unlikely that a serious definition of violence will define it as synonymous with harm, except in a very loose sense of the word. We can easily think of examples of harm that should not be considered violent. Take accidental harm for example; imagine you turn around in a store, accidentally knock someone over, and they skin their knee. Here is a case of harming another individual that is hard to consider as

12 It is rare for any philosopher to address the concept of violence. An exception to this is Allan Bäck's article "Thinking Clearly About Violence," where he defines harm, force, and aggression, in order to clarify the concept of violence. Though I find some aspects of his definitions problematic, it is still a worthy read.

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violent. You would likely help them to their feet and apologize, but you would be apologizing for a mishap, not for being violent. Another easy example is that of beneficial harm like medical surgery, necessary for life or health. Even though the goal is to help the patient, the surgeon is obviously harming the patient by cutting them open, and in some cases there are complications with the surgery that end with more harm than good toward the patient, even death. But in all of these cases we do not consider surgery violent.

These are issues that a philosophical definition of violence will need to address. Though Gandhi uses violence in a loose sense most of the time, there are at least two cases where he attempts to come up with a more philosophical definition of violence, one that accounts for and implicitly addresses objections. The first of these he comes up with in a letter in response to the surgery problem. He defines violence as follows: “violence … means causing injury to another without his consent or without doing any good to him” (CW 31:371). Here Gandhi sets up two parameters for an action to be considered violent. Violence is harm/injury committed that is (1) against the recipients consent or (2) without doing good to the recipient. So surgery is not violent, because it is done with the consent (explicit or hypothetical) of the patient, and is done for the good of the patient. Conversely, if a doctor operates on a patient against her will, many would consider this violent.

At first glance, Gandhi's first definition of violence checks out; however, under this definition, the first scenario, accidentally knocking someone over, would still be considered violent. You still injured someone, against their consent, without doing any

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good to them in that harm. He later develops a second definition to better account for his concept of violence. He states that, "*Himsa* [violence] means causing pain to or killing any life out of anger or from a selfish purpose, or with the intention of injuring it" (*CW* 36:450). Here, he introduces intentions into the definition. So the new definition considers violence to be harm or injury committed out of (1) anger, or (2) selfish intent, or (3) intent to harm. Under this definition, we are able to harm in some cases without being violent, as long as this harm does not include (1), (2), or (3). This solves the scenario of accidentally knocking someone over; although it was harm, it was not out of anger, selfish intent, or intent to harm.

Gandhi introduces the second definition to show why killing is not always a violent act; in fact, he considers it a moral duty in rare cases. These rare cases are what we would call in modern terminology euthanasia. A discussion on the subject was sparked again by a controversy over his ordering of the euthanasia of a calf in one of his *ashrams.*[13] The calf was terminally ill and in immense suffering. Gandhi consulted with a veterinarian, discussed the matter with the community leaders, and then held an open discussion with the whole community before ultimately deciding that the best course of action was to end the calf's suffering early by a painless lethal injection (*CW* 48:58-9). This shows how seriously Gandhi took the situation. Gandhi claimed that in very rare cases, euthanasia is a duty for humans as well, and gave rules on how this should be done nonviolently (*CW* 43:161). Euthanasia should only be performed as (1) a last resort, (2)

13 Gandhi's *ashrams* were communal villages that he founded to practice and experiment with nonviolent sustainable living.

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only if they are undoubtedly painfully and terminally ill, (3) with the best interests of the patient in mind, (4) when possible, with their explicit consent, and (5) only after a period of calm and clear deliberation. Many hold that euthanasia is violent, no matter how it is performed. Some hold that killing, even if justified, is always a violent act. Gandhi, however, held that rare forms of killing, if done correctly, are not violent (just like surgery is not violent). Nonviolent killing must follow strict guidelines and avoid his definition of violence; so they must be done out of good-will, selflessness, and without anger.

His second definition is certainly an improvement on the first. But we should ask whether infliction of harm is absolutely necessary for an act to be considered violent. Harm seems central to the concept of violence, but does harm need to even be committed for an act to be violent? We can imagine a violent act, which fails to harm an individual. For example, imagine a man that out of rage attempts to punch a person, but misses. Most would consider this a violent act, but no injury was committed. One could argue that this caused mental harm against the person, by causing fear, stress, etc. But imagine a case where the other man didn't notice, he had his back turned. If this is too hard to imagine, try a scenario that occurs in movies from time to time, where a sniper with a silencer shoots at a victim far away, but misses, without the target ever noticing. Most would rightly consider these to be violent acts, but how are they, if no harm was done? We certainly have intent to harm, maybe anger, and probably selfish intent, but no actual harm or injury; so these scenarios would not be considered violent actions under Gandhi's

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definition.

Under Gandhi's definition, failed malicious attempts at harm would not be considered violent. Gandhi would certainly not agree with this, which shows that we should not consider his second definition definitive. As stated before, Gandhi found nonviolence to primarily be a mental activity. It seems that he held the same to be true of violence. He claimed that "a man who harbours ill-will towards another is no less guilty of *himsa* [violence]" (*CW* 43:110). So, to determine whether an action is violent, we must examine the intentions behind the action (though he admits that the only way to do this is to examine actions). "The final test as to its violence or non-violence is after all the intent underlying the act" (*CW* 43:61).[14] But we must be careful in analyzing intentions. Gandhi still holds that one can be violent with good intentions, such as harming individuals with the intention of benefiting society (political assassinations, war, etc.).[15] The key is to hold best intentions toward the individual that would be harmed. Because of this, the vast majority of killings are going to be classified as violent, since it is a rare case that killing benefits the victim.

With Gandhi's views of intentions in mind, I will modify his second definition to create one that better fits Gandhi's concept of violence. Gandhi's implicit definition of violence goes as follows: violence is *any intention* to harm an individual, (1) out of anger, (2) selfish-intent, or (3) without the best intentions of the individual as primary motive.

14 Additionally, "A reference to both intent and deed is thus necessary in order finally to decide whether a particular act of abstention can be classed as ahimsa. After all, intent has to be inferred from a bunch of correlated acts." (*CW* 43:111)

15 See (*CW* 31:372) – question six.

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This will account for the last examples of attempted harm (missed punch or bullet), since they still were acting on an intention to harm, probably out of anger, with selfish-intent, and most certainly without the best intention toward the individual. This new definition accounts for the other examples as well, beneficial harm (surgeon) and accidental harm (knocking someone over). Surgery is with the best interests of the individual in mind, and accidentally knocking someone over does not include any intention of harm. This definition excludes some actions that many consider as violent (such as euthanasia). It also deems certain actions as violent that many would not, such as certain purely mental activities even if not acted upon (ill-will, hate).

This is a topic that deserves more attention, not only in exploring and critiquing the nuances of Gandhi's conception of violence, but in the field of ethics as a whole. However, this preliminary definition will suffice for the project at hand, and can serve as a starting point for further studies.

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2. INTRINSIC OR INSTRUMENTAL, DEONTOLOGY OR CONSEQUENTIALISM

The first question I will ask concerning the philosophy of Gandhian nonviolence is whether the ethical position is intrinsically or instrumentally significant when determining the ethical status of an action. This question is of particular importance in the current climate of philosophical ethics, which is largely split into two camps of ethical theories, consequentialism and deontology. In Kagan's definition of the two theories, Gandhi's answer to this question determines which camp he will fall under. In other words, placing nonviolence as intrinsically or instrumentally significant establishes Gandhian nonviolence as a consequentialist or deontologist principle. I will first discuss what it means for an ethical principle to be intrinsically or instrumentally significant. This will be followed by a discussion of how this distinction relates to consequentialism and deontology. In the language of the two theories, we are determining whether Gandhian nonviolence is a deontologist moral constraint (intrinsically significant) or a consequentialist optimific rule (instrumentally significant). I will explore the case for interpreting nonviolence as an optimific rule, but ultimately argue that it should be interpreted as a moral constraint, that Gandhian nonviolence is intrinsically valuable.

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2.1 Intrinsic vs. Instrumental

The terms '*intrinsic*' and '*instrumental*' are generally used in the field of ethics concerning value. Something that is valuable in and of itself, because of what it is and not because of what it leads to, is *intrinsically good* (and the reverse for intrinsically bad). An example that Kagan gives of something that is intrinsically good is pleasure: “most of us value pleasure for its own sake; we think of it as something good in itself—not merely as a means to getting something else” (29). Some theories claim that there is only one thing that is intrinsically valuable, and all other values reduce to it. For example, hedonists hold that pleasure is the only thing that is intrinsically valuable, and pain is the only thing that is intrinsically bad. However, most theories hold that there are many other intrinsic values. In contrast, something is instrumentally valuable if it leads to or is a means to something else that is intrinsically good. Kagan gives “medicine, air conditioners, automobiles, and money” as example of things that are instrumentally valuable, since “they are useful means for acquiring or producing other goods (or eliminating bads)” (28). We value them for what they do, not what they are.

In a similar way, we can use the terms 'intrinsic' and 'instrumental' to evaluate the significance of moral factors. A factor that has *intrinsic moral significance* is a factor that is significant in and of itself, not because of its relation to other factors or values. For example, some hold that honesty has intrinsic moral significance, that you should be honest, no matter the results.[16] Others hold honesty to be of *instrumental moral*

16 The philosopher Immanuel Kant famously holds a view similar to this.

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significance, it is only significant insofar as it relates to other factors such as well-being. An easy test to determine if you think a factor is intrinsic or instrumentally significant is to ask "why is it significant?" If you think that it is important to be honest primarily because it is simply the right thing to do, no matter what it leads to, then you believe honesty is an intrinsically significant moral factor. If you think honesty is important only because it generally leads to positive relationships and inner well-being, then you believe that honesty is instrumentally significant.[17]

2.2 Consequentialism and Deontology

The distinction between intrinsic and instrumental significance is important in order to explain Kagan's definitions of consequentialism and deontology.[18] For Kagan, *consequentialism* claims that there is "one and only one factor that has any intrinsic moral significance in determining the status of an act: the goodness of that act's consequences" (70). So for the consequentialist, the *only* intrinsically significant moral factor is the consequences of actions (hence, the name 'consequential'-ism). This makes all other factors necessarily only instrumentally significant. Using the previous example, most consequentialists will admit that honesty is a relevant moral factor, but that it is instrumentally significant, not intrinsically. Therefore, for Gandhian nonviolence to be a

17 Strictly speaking, there is a distinction between *intrinsically valuable* and *intrinsically significant.* However, the concepts are similar enough, I will at times use the language interchangeably, except when the distinction is relevant to the discussion.

18 I will be using Kagan's definitions of consequentialism and deontology to categorize Gandhian nonviolence; however, it should be noted that there is no universally accepted definition of either, and thus any definitions of each group of theories are at least somewhat controversial.

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consequentialist principle, Gandhi must hold that nonviolence is at bottom an instrumentally significant principle, that we must follow it solely because of its good consequences.

In contrast to consequentialism, the central claim in Kagan's formulation of deontology is that there are other factors that have intrinsic moral significance, that "the moral status of an act is determined by the interplay of all of these various factors—not good consequences alone" (71). More specifically, deontology claims that there are intrinsically valuable moral *constraints* that bar us from certain types of actions, even if those actions lead to better results. Kagan claims that these constraints are the defining feature of deontology; Kagan calls "any moral theory that does incorporate constraints *deontology*" (72). Kagan emphasizes that most deontologists still consider good consequences as intrinsically significant, the difference is that they deny the stronger claim that consequentialists make, that "this [goodness of outcomes] is the *only* factor with intrinsic significance" (70).

A good example of what many hold to be a deontological constraint is the prohibition of torture. Many hold that no matter the information that can be obtained, we should never sink to the level of torture (at least in its extreme forms). A moral constraint against torture would mean that even if the good outcomes would greatly surpass the negative effects of torturing an individual, we are morally prohibited against doing so. So even if we could find the whereabouts of an active nuclear bomb by torturing a single individual, thereby saving millions, if the constraint is absolute, we are morally

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prohibited from doing so.[19] Another example is human rights. The general conception of human rights is that they are constraints (though there are consequentialists who attempt to account for rights purely through 'goodness of outcomes'). For example, human rights of life or liberty seem to entail, at the very least, constraints against murder or slavery.

Kagan defines constraints primarily in a negative sense, saying that they prohibit certain actions. Something that Kagan does not mention is that a normative factor could also mandate certain actions, even when alternative actions would produce better consequences. Many consider adequate standard of living and education a human right.[20] These entail positive societal duties. We must do such things as build institutions to provide access to education, food, healthcare, etc. A moral factor could institute both positive and negative constraints on others. For example, a right to life will most likely entail a negative duty, a constraint to not kill any person. A right to life could also entail some positive duties as well. For example, if you have the reasonable ability to save someone's life, then you have the duty to make the attempt. This is important to our discussion of nonviolence, for in Gandhi's sense of the principle, nonviolence does not only prohibit bad actions, it also mandates good ones. Therefore, I will use a modified

19 As will be discussed in depth in chapter 3, though we generally think of them as absolute, it is possible to have non-absolutist constraints. Constraints can be be thresholds; they can admit of exceptions when they conflict with other constraints.

20 For example, the United Nations Universal Declaration of Human Rights, article 25: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” And 26: “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.” (UN.org)

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version of Kagan's constraints; not only do constraints bar you from certain actions, they may also demand certain actions as well.[21]

To test if Gandhian nonviolence is deontological, we must ask whether nonviolence imposes positive or negative constraints, independent of consequences. Determining whether nonviolence is an intrinsically significant moral factor will, more or less, pin down nonviolence as a constraint, and therefore deontological. To test whether Gandhi is a consequentialist, we must ask whether he holds the combined good of an action's consequences as the only intrinsically relevant moral factor; if nonviolence is consequentialist, nonviolence necessarily must be of only instrumental significance.

2.3 Nonviolence as Instrumentally Significant: an Optimific Rule

At first glance, it may seem to be a hard case to argue for Gandhian nonviolence as consequentialist. Nonviolence seems too absolutist;[22] under it, you should never be violent and always love. Consequentialism has trouble accounting for absolutes (with the exception of its sole principle, do what maximizes overall good). However, there is a form of consequentialism that makes the attempt to incorporate absolutist maxims, called *rule consequentialism*. This is in contrast to *act consequentialism,* which claims that

21 Kagan seems to say that positive rights are really reworded negative constraints (131). Although, in at least one instance he seems to describe a positive right as a positive constraint – "If there is a constraint requiring the payment of compensation to those one has harmed, then people have a right to compensation" (172).

22 I will consider whether nonviolence is truly absolutist later. There is the strong possibility that it is simply a high threshold, that the principle holds a lot of weight, but can ultimately be overridden on rare occasions when there is enough counter weight.

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actions must be morally evaluated on their own merit, that the correct action is one that produces the most overall good, and this alone. For the *rule consequentialist*, an action is evaluated based upon whether it followed *optimific rules*; so, in rare cases, an action that does not maximize good outcomes could be the correct one, but overall the rule must maximize good in total. Rule consequentialism claims that, overall, good consequences are still the goal, but how we get there is through optimific rules. *Optimific rules* are those that, if universally followed, result in the greatest overall good. The rule consequentialist claims that by use of optimific rules, we obtain greater overall good than otherwise.

Rule consequentialists claim that instead of applying consequential calculus to every individual situation, it is more practical to apply consequential calculus to life rules. It is impossible to determine in every situation what action will have the best overall consequences; life rarely gives us the time to make these deliberations. We should instead attempt to find the optimific rules to live by, rules which, if followed by everyone, would lead to the greatest amount of good over bad. Optimific rules best serve overall goodness of outcomes. An action is right if and only if it is consistent with the optimific rules, since they lead to the most good for the most people. There are always exceptions to a rule, but these exceptions prove the rule, not negate it. Furthermore, we should still act according to optimific rules even in the exceptional cases (where it seems that the rule will lead to worse outcomes), since, overall, the benefits of always following the rule outweigh the costs.

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Theoretically, Gandhian nonviolence could be explained as an optimific rule. We should always be nonviolent as a rule, because it will lead to a maximization of good overall. For nonviolence to be an optimific rule, nonviolence must be argued for as solely an instrumental significant principle. To determine whether Gandhian nonviolence should be considered instrumentally significant, we will need to ask the 'test question' – 'why does Gandhi think nonviolence is significant or valuable?' Does Gandhi value nonviolence because of the consequences of nonviolence or because nonviolence is valuable in and of itself?

Gandhi actually very often argues for the instrumental value of nonviolence, claiming that nonviolence will always yield greater good in the long term. He also claims that violence will always yield more bad than good in the long term, such as in the famous quotation, “I object to violence because when it appears to do good, the good is only temporary; the evil it does is permanent” (*CW* 31:372). This type of reasoning makes it tempting to classify nonviolence as primarily instrumentally good. Even though I will argue that further reading of Gandhi reveals that he sees nonviolence as an ethical constraint of intrinsic moral significance, the alternative counterargument is worth looking at.

Directly preceding the last quotation where Gandhi claims that violence leads to overall bad results, Gandhi claims that nonviolence “alone conduces to the highest good of mankind, not merely in the next world but in this also” (*CW* 31:372). So, not only does he think that violence leads to worse outcomes, he thinks that nonviolence

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maximizes overall good consequences. If true, this would certainly meet the criteria for an optimific rule; if nonviolence is generally followed, it will maximize goodness of outcomes. Gandhi claims that those who state the opposite, that certain forms of violence often lead to better outcomes, are short-sighted. It may appear that violence benefits a situation in the short term, but in the long term the often hard to see ripple effects of violence do more harm than good. For example, Gandhi claims that a violent overthrow of British colonization during his time would end with "English rule without the Englishman" (*Hind Swaraj* 27), that overthrowing oppressive rule through force of arms would likely lead to another oppressive rule. Even if the new totalitarian rule were better than the previous one, it would not outweigh all of the suffering the violent revolution would cause to get there.

Similarly, he claims that nonviolence sometimes may seem to fail, or seem to lead to worse outcomes in the short-term, but that that in the long term the ripple effects of nonviolence *maximize good consequences*. For example, here he claims that a nation can defend itself with an entirely nonviolent army:

> Hitherto he and his likes have built upon their invariable experience that men yield to force. Unarmed men, women and children offering nonviolent resistance without any bitterness in them will be a novel experience for them. Who can dare say that it is not in their nature to respond to the higher and finer forces?" (*CW* 74:150).

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A nonviolent army is sure to lose a violent battle, as they will not fight back with violence. He claims that an opposing army may indeed massacre a nonviolent army of men, women, and children, but that the aggressor will not be able to "repeat the experiment" (*Satyagraha,* 361). By the power of universal love and by appealing to the opponent's humanity, he believes that no army could continually massacre an entire nation.

This seems like a shocking claim, that a courageous non-violent soldier could do more good by letting herself be massacred than violently fighting back. However, if we think of the common notion that martyrs do more for a cause than warriors, this may seem at least a bit less foreign. When a soldier courageously dies in battle, it moves the civilian population to support the cause. When innocent civilian dies in war, it negatively affects the sentiment of the war on one side and rallies the victim's side. But when a martyr, a courageous non-violent individual, allows herself to die for a cause, she earns the respect of the opponent while rallying the cause. "Self-sacrifice of one innocent man is a million times more potent than the sacrifice of a million men who die in the act of killing others. The willing sacrifice of the innocent is the most powerful retort to insolent tyranny that has yet been conceived by God or man." (*CW* 30:248). In a sense, Gandhi claims that by creating an army of nonviolent would-be martyrs, we amplify the power we already attribute to martyrs to levels that can effectively defend a nation.

Nonetheless, the claims that nonviolence maximizes good outcomes and violence leads to worse are quite controversial empirical assertions. With enough study, we should

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be able to verify or reject these claims more or less objectively. The truth is that there is not enough research on nonviolence and violence to make a concrete claim either way. Gandhi does however have some interesting non-scientific arguments to back his claims. I will briefly consider a few, as these add more weight to the possibility of the instrumental value of nonviolence:

1. Violence Leads to Vicious Cycle: Gandhi claims that using violence against violence "can only start a vicious circle" (*Mind of Gandhi* 147). The argument states that a societal acceptance of the use of violence in response to violence necessarily leads to a cycle of harm. Using violence provokes retaliation. By using violence, you are contributing to this cycle. So, even if it seems that violence would lead to the best overall outcome in the short-term, due to the cycle that it is participating in and sustaining, it cannot lead to the overall best outcome in the long term. Only breaking the cycle of violence with nonviolence can lead to best overall results.
2. Nonviolence and Violence Spread by Example: One way that a cycle of violence is sustained is the power of example. We humans learn by the example of others (whether by words, ideas, or deeds). When we act violently, we set an example for further acts of violence in the future. Alternatively, when we act nonviolently, we inspire further acts of love in the future. When we take account of the far reaching consequences of the example we set for others with every action, violence always brings about worse outcomes than

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nonviolence.

3. Nonviolent Resistance as an Alternative to Violence: If we are able to achieve a goal without the use of violence, we are mandated to do so. Reaching a goal without the use of harm is a better outcome than reaching the same goal with the use of harm. Gandhi has proven that nonviolent resistance can be successful in some of the toughest imaginable circumstances, such as achieving the independence of an entire nation. If nonviolence is successful in the toughest imaginable circumstances, we should be able to wield it successfully in lesser circumstances as well. Violence is outdated, no longer necessary, and should not be used.
4. Only Voluntary Self-Harm with Nonviolence: A nonviolent response to violence will often disarm the opponent. They may refuse to fight someone who does not fight back, be confused by the response, or have a change of heart, due to their admiration of their opponent's courage. If it does not disarm the opponent, at the very worst, nonviolent practitioners are only risking harm to themselves, whereas returning violence for violence risks harm to both parties.[23]

In all of these arguments, Gandhi argues that nonviolence has value because it leads to the best overall consequences in the long-term. In many cases, he claims that we will see immediate beneficial results, such as the diffusion of a violent altercation by

23 For a more detailed description and analysis of instrumental arguments for nonviolence, see Appendix I.

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responding with love instead of rage. But in all cases, nonviolence results in the overall best outcomes in the long-term (though it is often hard or impossible to tell by observation). He claims that nonviolence is the most useful strategy in promoting overall well-being and should be adhered to from a purely practical point of view. Because of Gandhi's instrumental arguments, there is no doubt that Gandhi believes that nonviolence is instrumentally valuable. However, it remains to be seen whether the instrumental worth of nonviolence is the primary reason for Gandhi's faith in principle.

2.4 Against Nonviolence as an Optimific Rule

It is possible to hold a normative factor to be both instrumentally and intrinsically significant. In fact, most deontologists will claim that their constraints have instrumental worth, in addition to their intrinsic significance. Take, for example, the constraint against lying. The deontologist could claim that honesty generally does lead to good outcomes, that it has instrumental value, and at the same time claim that honesty is a constraint because of it intrinsic significance. The question we now must ask is whether Gandhi values nonviolence *primarily* because of its instrumental value. Or, does he find nonviolence to be intrinsically significant as well as instrumental? Because of the wealth of arguments made by Gandhi promoting the instrumental value of nonviolence, there is a strong case for nonviolence as a consequentialist optimific rule. However, there are several reasons why this cannot be the case. I first will present negative arguments against a consequentialist reading of Gandhi, and in the section following, I will present

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the positive case for interpreting Gandhian nonviolence as a constraint.

First, the benefits of nonviolence seem too universal, even for an optimific rule. Gandhi does not say that violence generally leads to greater bad, or that nonviolence generally leads to greater good, he says *always*. Gandhi's devotion to nonviolence seems to be too absolutist, more so than an optimific rule can account for. In chapter 3, we will explore whether Gandhian nonviolence is truly absolutist, but presuming that it is, this poses a problem for a consequentialist interpretation of nonviolence. Although a rule consequentialist can claim that we should follow optimific rules without exception, she must be open to the possibility that in individual cases, the rule is bound to fail some of the time. The overall benefits of always following the rule would outweigh the exceptional cases where the rule did not pay off. Gandhi's arguments seem to claim that nonviolence is always the correct action. In fact, Gandhi commonly states that when a seemingly nonviolent effort leads to bad consequences, it is either because the effort was not really nonviolent at all (and actually a subtle form of violence) or that the effort was only partially nonviolent. Gandhi holds that nonviolence always leads to the best results, so if there is a case that it seems not to have done so, it is due to the imperfection of the practitioners, not the principle.

Theoretically, if Gandhi truly is an absolutist concerning nonviolence, this does not necessarily disqualify the possibility of nonviolence as an optimific rule. It simply makes it less probable. It is theoretically possible to have optimific rules that are absolute in practice, such as perhaps a rule against blowing up Earth. However, a consequentialist

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should at least be able to come up with a hypothetical situation in which a rule could fail. There should at least be the logical possibility that the rule will lead to a worse situation in singular instances, as long as on the whole it leads to best results. Gandhi does not seem to entertain this possibility, but claims that nonviolence, if properly conducted, will innately lead to best results in the long term.

A more devastating blow to a consequentialist reading of nonviolence is Gandhi's views about means and ends.[24] He actually writes extensively on the relationship between ends and means. Consequentialism relies on the principle of 'the ends justify the means.' To determine the moral status of an action, we must examine the end product of that action. Some versions, such as rule consequentialism, look at the means employed as well, but only with the overall ends in mind. The actual ends of an action are the necessary focus of consequentialist moral reasoning. Gandhi, however, opposes the principle of "ends justify the means." He seems to turn the principle on its head, that instead, the means justify the ends. Gandhi claims that our means of action should be the focus of ethical thought, not the ends, that "you must not worry whether the desired result follows from your action or not, so long as your motive is pure, your means correct. Really, it means that things will come right in the end if you take care of the means" (CW 88:408).[25] As Arun Gandhi said of his grandfather, "he always believed we should not do things with the result in mind, but to do them because they are right" (50).

24 For an excellent analysis of Gandhi's views on ends and means from the prospective of political philosophy, see Raghavan Iyer's "Means and Ends in Politics".

25 Interestingly, Gandhi actually thought this was the key to living a longer life as well. The context of this quote is a discussion of how to live to 125 years old.

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It seems that Gandhi claims that the moral status of an action is independent of that action's consequences. At the same time, Gandhi does not think that we should not pay any attention to the product of our actions. Both the ends and means must be pure; for example, we should not be honest with the purpose of harming another with that honesty. We need to have good motives, but we need to employ good methods to strive towards the goals of our good motives. The problem he notes with only focusing on consequences is that we can never truly know the long term (and in many cases the short term) product of our actions. To focus ethical thought on consequences is to focus on what we do not have control over: "We have always control over the means, never on the end" (*CW*, 65:9). We should instead focus on what we do have control over, our means of action. This is, in fact, one of the main critiques contemporary philosophers give against consequentialism. We can never know the full extent of the consequences of any action, so how can we use this as the sole basis of moral thought? We may think we know the immediate consequences of our actions, but in reality, even the immediate consequences are uncertain. Overall consequences are even more unclear when we attempt to assess product of an action over the course of a year, or a 1000 years for that matter.

Gandhi also makes the more controversial claim that we cannot properly separate ends from means, that "Means and end are convertible terms in my philosophy of life" (*CW,* 29:497). He claims that "there is just the same inviolable connection between the means and the end as there is between the seed and the tree" (*CW*, 10:278). Just as an apple tree must necessarily come from an apple seed, good ends must necessarily come

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from good means. It seems that Gandhi is saying that we cannot properly evaluate the consequences of an action, without addressing the methods we employ to bring them about, that end and means are necessarily intertwined. For example, Gandhi claims the simple consequence of obtaining a watch must be assessed based on means: "according to the means I employ, the watch is stolen property, my own property, or a donation. Thus, we see three different results from three different means" (*CW,* 10:287). Consequentialism relies on a divorce of consequences and methods; it relies on the view that an action is justified on its products alone. Gandhi claims that this separation of consequences from means is mistaken.

It is theoretically possible to come up with a consequentialist interpretation of Gandhi's views on ends and means, that, by focusing on means, we obtain the best results. This perhaps would be valuable, but I would hold that this would nonetheless be a distortion of Gandhi's view, a reformulation or re-creation of Gandhi's ideas. Creating an optimific rule theory of nonviolence would be interesting and perhaps worthwhile; however, this would be an adaptation of Gandhi's philosophy, not a presentation. Although Gandhi would agree that by focusing on the means we obtain the best results, his view that ends and means are interconnected goes beyond practicality.

Although I cannot address them in depth here, there are notable philosophical problems for any philosopher who prioritizes means over ends. For example, what if all available pure means have astronomically bad results? Additionally, what if an available impure means has astronomically good results compared to the available pure means?

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Are we expected and morally bound to implement only pure means in these types of scenarios? Though these are questions that a Gandhian philosophy will need to address, the important thing to take away for the time being is that Gandhi fails the 'consequentialist test,' since he rejects a core notion of consequentialism, that the ends justify the means.

2.5 Nonviolence as Intrinsically Significant: a Moral Law

Gandhi fails the consequentialist test; this casts doubt on the optimific rule hypothesis, but this does not mean that nonviolence is necessarily an intrinsic significant factor. It is possible for Gandhi to be a deontologist and still view nonviolence as solely an instrumental principle. Although it is an unusual concept, deontology can allow for optimific rules; furthermore, we do not yet know if he should be considered a deontologist, just that he should not be considered a consequentialist (it is possible to be neither). To determine this, we must apply the positive test for deontology, and the positive test for intrinsic value. A positive test for intrinsic significance will ask whether Gandhi considers nonviolence to be morally valuable in and of itself, or does he only value nonviolence because it leads to other goods. If he considers nonviolence to be an intrinsically significant moral factor, it is likely that Gandhi is a deontologist, but to be sure, we must ask whether nonviolence should be viewed as a constraint.

Another way to frame the test question is to ask whether Gandhi believes that you should be nonviolent, even if it leads to overall worse consequences than otherwise. This

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is a tough question to answer, since we have already seen that Gandhi believes that nonviolence always leads to best overall consequences. So, asking Gandhi this question would be asking him to think counter-factually. We would be asking him, 'Even though you think it is impossible, suppose you are at least partially wrong about nonviolence always leading to best outcomes, should we be nonviolent even if it led to worse outcomes?' In other words, does Gandhi value nonviolence because of his belief that it leads to best consequences alone, or does he also value it independently?

Our previous discussion of Gandhi's views about ends and means will partially answer this question. He claims that we must focus on the means, and if they are pure, then the consequences will work out in the end. So, by claiming that we should be nonviolent, coupled with his claim that our normative claims must be centered on means, he is indicating that he values nonviolence as a pure means, independent of consequences. Gandhi in fact does recommend at times to follow nonviolence without regard to outcomes: “reduce it [nonviolence] to practice regardless of immediate consequences which would certainly test the strength of your convictions” (*CW* 15:206). Furthermore, many of Gandhi's nonviolent strategies seem to suggest an adherence to nonviolence, even when apparent better outcomes would be produced otherwise, such as sacrificing yourself rather than striking back at an opponent. It is likely then that Gandhi finds nonviolence to be an intrinsically significant moral factor, in addition to being instrumentally valuable. Though he holds that nonviolence leads to best overall outcomes, he would hold that we should follow the principle even if there were cases to

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the contrary.

Another indication that Gandhian nonviolence is a constraint, and therefore deontological, is the focus on intentions and motives. A common characterization of deontology is the focuses on intentions and motives, rather than products of actions. This characterization claims that the distinction between deontology and consequentialism is that the focus of consequentialism is an action's consequences, whereas the focus of deontology is generally the motives and intentions behind actions. This definition of deontology is too narrow according to Kagan, but it does fit with his version. That is to say, if something is deontological on this definition, it will also be deontological for Kagan; Kagan simply finds that this definition leaves out theories that should be considered deontological as well. If your ethical focus is on intentions and motives, then you hold that there are significant normative factors beyond consequences. As the terminology section indicated (chapter 1.3), Gandhi's focus is on intentions concerning violence and nonviolence. Gandhi claims that to be nonviolent we must not only refrain from harm, but our actions should be motivated by love of the individuals affected. Not only should we have good intentions, we must specifically have good intentions toward those our actions are directed toward. This is why we can nonviolently perform surgery to benefit a patient, but we cannot nonviolently perform an assassination for the benefit of the state. Furthermore, Gandhi holds that the core of violence is the intention to harm, and that as long as we harbor hate, ill-will, and intention to harm others, we are still being violent, whether or not we act on these intentions or not.

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Gandhi's focus on intentions shows that he holds nonviolence to be an intrinsically significant moral factor, independently from the consequences of the factor. Though he would likely deny the possibility, even if we could conceive of a situation in which universal love would lead to worse consequences and hatred would lead to better, Gandhi would still claim that we should base or actions on pure intentions, on universal love, and that it would be wrong to do otherwise.

Though Gandhi characterizes nonviolence as an intrinsically significant constraint, he seldom gives arguments in support of this view, in comparison to the numerous occasions where he argues for the instrumental value of nonviolence. This is likely because, as we will see below, Gandhi thought that principles of morality must be discovered rather than argued for, that it is easier to argue for expedience than for morality. Nonetheless, he does on occasion offer explicit constraint arguments for nonviolence, and in other cases we can infer implicit arguments from his statements. I will briefly present a handful of these arguments here:

1. Only Voluntary Self-Harm with Nonviolence: This argument was mentioned in the instrumental section, but a form of it works as a constraint argument as well. The deontological version of this argument emphasizes that there is a constraint against harming others who do not wish to be harmed, but this constraint may not exist against the willing, or if it does, it is of a lesser degree. We are permitted to harm others in giving tattoos or performing experimental surgery, as long as we have the consent of the person who would

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be harmed thereby. Alternatively, Gandhi could admit that there is both a constraint against harming the willing and unwilling, but that the constraint against harming the unwilling is stronger. So, if you are willing to be harmed by an aggressor rather than retaliate, either no constraint is being crossed by either side, or at least a lesser constraint is transgressed.

2. Nonviolence as a Natural Law: A natural law is a binding moral constraint that is discoverable by rationally analyzing our human nature. Gandhi commonly describes nonviolence as a natural law. Human nature dictates that we should be nonviolent. It is not natural for us to harm others; this is why people who commit or witness horrible violent acts commonly suffer psychological trauma as a result. Human beings are not meant to harm, but to help each other. It is only through being fully nonviolent that we realize our humanity; "It is man's natural law not to retaliate. Though we have the human form, we are not truly human till we have fully realized the truth of the law and acted up to it" (*CW* 27:414-5).
3. Nonviolence as Divine Law: This is similar to the natural law argument, except that the divine law argument emphasizes that the moral constraint of nonviolence is grounded in the actions of the Divine. God forbids the use of violence. God created humans to overcome their egos and self-interest and to obtain universal love. We are made to care for and help others; God did not make us to harm each other. Since God created and sustains all things, only

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the divine has the right to destroy life. “Krishna is the Lord of the universe, the creator, preserver and destroyer of us all. He may destroy because He creates” (*CW* 31:142). We humans do not have the right to harm what God created.

4. Nonviolence as Self-Evident, through Practice: Gandhi ultimately claims that nonviolence is self-evident, a principle that we must discover through self-reflection and practice. Logical arguments have their limits. Nonviolence “is a matter not of the intellect but of the heart.” (*CW* 43:16). The best way to convince yourself and others of the value of nonviolence is to personally experiment with the principle and attempt to put the law in action. “It is something to be translated into action and experience. An ounce of practice is more profitable than tons of argumentation” (*CW* 55:36). Through the attempt of following the principle, we will recognize the self-evident truth of nonviolence.[26]

Gandhi's view of nonviolence as a natural or divine law is perhaps the strongest case for interpreting Gandhian nonviolence as constraint. Moral laws for the most part are forms of moral constraints; they are also generally considered intrinsically significant. Natural/divine law theorists claim that we should follow moral laws not because of what they lead to, but because of what they are, because of our nature or the divine nature of

26 For a more detailed description and analysis of intrinsic/constraint arguments for nonviolence, see Appendix II.

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the law itself. Without regard for consequences, they have intrinsic value on their own. So, for the most part, natural/divine laws are deontological in Kagan's sense. However, there is an exception to this rule. Consequentialists on occasion use natural/divine law arguments; they insist that God or nature dictates only one supreme moral law, that of best consequences. In this view, any other moral law is based up on the one absolute moral law of best outcomes, and so are only moral laws in a loose sense. Gandhi, however, holds that there are many natural or divine laws. Among these moral laws, nonviolence is the supreme law that all others lead to; nonviolence is "the law of life for human beings" (*CW* 61:187), and through the path of nonviolence we obtain pieces of Truth.[27] Nonviolence is a moral law that demands universal love and bans the use of violence.

Gandhi also makes an important distinction between moral laws and legal/social laws; he claims that nonviolence is lawful and nonviolence unlawful "not according to man-made law but according to the law made by Nature for man" (*CW* 92:348). This distinction is important because it is how he justifies the use of civil disobedience, the deliberate and public violation of a civil law. He claims that if a civil law conflicts with a moral law, not only do we have a right to disobey it, we have a duty to do so, since moral laws supersede legal ones. This is the same reasoning that Martin Luther King, Jr. uses to justify civil disobedience in his famous "Letter from Birmingham Jail."

27 Here it is an interesting note that Gandhi believed that "Truth is God, or God is nothing but Truth" (CW 8:120).

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2.6 Gandhi the Deontologist

Though he holds that nonviolence has the highest possible instrumental value, its primary moral significance is intrinsic. Since Gandhi offers so many instrumental arguments for nonviolence, it is possible to derive a consequentialist optimific rule theory of nonviolence out of them. However, if we take in account Gandhi's full view of nonviolence and his views on ends and means, we find that a consequentialist reading of Gandhi unlikely. Because of Gandhi's emphases on actions and intentions and his conception of nonviolence as a moral law, Gandhian nonviolence should be interpreted philosophically as a moral constraint. Nonviolence as a constraint classifies Gandhi as a deontologist.

Classifying Gandhian nonviolence indicates how to interpret, argue for, and defend the concept. This gives us a frame of reference in further interpreting and critiquing Gandhi within western philosophy. As a deontologist, this situates Gandhi's thought along side with thinkers like Immanuel Kant. We can further categorize Gandhi within deontology as a moral law theorist, which situates him along side a rich line of western philosophers such as John Locke and Thomas Aquinas. Though a deontologist, Gandhi does somewhat meld the theories by claiming that nonviolence always leads to best consequences in the long term. He is also a very practical thinker, emphasizing instrumental arguments and the pragmatic side of morality. Because of this, he still has similarities with consequentialist tradition, as represented by Jeremy Bentham and John Stuart Mill.

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Classifying Gandhi as a deontologist means that he makes use of intrinsically valuable moral constraints that bar us from or demand certain types of actions, even when there are alternatives that lead to better results. Nonviolence is one of these intrinsically significant constraints. What does this constraint entail? The constraint of nonviolence is somewhat unique in that it has both positive and negative demands. As discussed in chapter 1, counter-intuitively, Gandhian nonviolence is actually primarily a positive constraint, binding us to perform certain types of actions, such as universal love and acting in aid of others. Nonetheless, the negative constraint of nonviolence is also important, which prohibits the use of violence and any intention to harm another living being. Thus, the moral law of nonviolence sets a high standard for human conduct, one that many would consider impossible to reach. In the next chapter I will explore the problems that the high demands of nonviolence pose to the theory, including a question that every deontologist must answer concerning their constraints, 'do constraints allow of exceptions?'

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3. ABSOLUTE OR THRESHOLD CONSTRAINT

Up to this point, I have assumed for the sake of discussion that Gandhi was a moral absolutist concerning nonviolence; however, even though Gandhi commonly characterizes nonviolence as an absolute moral law, there are many instances that he seems to condone violence. Because of this, many scholars claim that Gandhian nonviolence is not absolute, but allows for exceptions. In the language of normative ethics, the debate is over whether Gandhian nonviolence is an absolute constraint or a threshold constraint. Answering this question will further categorize Gandhi as an absolutist deontologist or a moderate deontologist.

3.1 Absolute Constraints and Absolutism

Even though deontology takes different forms, it is common to think of absolute constraints when we think of deontology. Deontology is iconic for advancing absolute rules, and this is perhaps the easiest way to describe deontology in contrast to consequentialism. I will first describe and explore the absolute form of deontology before moving on to the alternative. As we will later see, constraints do not need to be absolute.

An *absolute constraint* is "morally forbidden no matter how horrible the results will be otherwise, no matter how much good could be done" (Kagan 79). As the name suggests, absolute constraints admit of no exceptions; they are the moral imperative no

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matter the circumstances. An *absolutist deontologist* is one who makes use of at least one absolute constraint. An absolutist could also make use of non-absolute constraints as well, but whenever they come in conflict with an absolute constraint, absolute constraints will always win over non-absolute ones. Absolutists could admit the normative significance of good or bad consequences, they just do not consider best consequences as an absolute rule to follow. An absolutist deontologist could even claim that we should usually act as consequentialists, with the aim of best consequences, except when absolute constraints are applicable, then we must obey the constraints rather than best consequences.

Imagine that you are hiding Jews in Nazi controlled Europe; a Nazi inspector comes to your door and asks if you know the whereabouts of any Jews. Imagine the best outcome in this scenario would result from lying, responding that you do not know the whereabouts of any Jewish people. If a deontologist admits of an absolute constraint against lying but also admits best consequences are morally significant, you are still morally forbidden from lying in this circumstance; instead, you should look for the next best option. Perhaps you explain to the officer that you are morally forbidden to answer in the affirmative or negative, or try and dodge and distract the officer so that those that are hiding can escape. There are some deontologists that claim that best consequences bear no moral significance, and that you would bear no moral fault if you were honest with the Nazi inspector; the moral fault belongs to those those committing forbidden acts alone.

Even if a deontologist rejects the moral significance of best results, in this case

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they could also have a constraint against aiding in moral atrocities, so you must look for a third option; you shouldn't lie, but you also shouldn't be honest and aid in the murder of those you are hiding. Problems arise for absolutists when two or more absolute constraints conflict with each other. Suppose in the Nazi inspector situation that there is no way to follow both an absolute constraint against lying and an absolute constraint against aiding in moral atrocities. Other than a lie, no matter what you say will tip the inspector off that the house should be immediately searched. What should a moral absolutist do in such a dilemma? The absolutist does have some options to respond to this problem. First, an absolutist could admit of only one central absolute constraint, and claim that all other constraints are non-absolute. This way, it is not possible for two absolute constraints to conflict with each other. Another option is to define absolute constraints in a way that prevents them from conflicting with each other. Finally, an absolutist could claim that there exist situations that have no good options. An absolutist could accept that some situations have only bad options; we must pick the least bad option, but we still violate a moral constraint and are morally culpable. This last option is perhaps the most controversial, but is a stance that many absolutists take, that in certain 'no win' circumstances we must pick the least morally abhorrent action, then atone for it afterward.

Another problem for moral absolutists is that of extreme consequences. What if the alternative consequences from following a constraint are astronomically high? Should I really follow a moral constraint absolutely even if 1000 lives are at stake? What about

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100,000? or 1,000,000,000? What if the existence of all life is at stake? Some deontologists will still claim that consequences are morally irrelevant in extreme circumstances. Other absolutists will claim that extreme consequences are relevant, but only under circumstances that do not contradict absolute constraints; absolute constraints still trump the most extreme of consequences. Moderate deontologists, however, see this as a serious problem and reject the possibility of absolute constraints altogether.

3.2 Threshold Constraints and Moderate Deontology

Moderate deontologists avoid the problem of extreme consequences by claiming that no constraint is absolute, that constraints can be overridden "if *enough* is at stake" (Kagan, 79). Instead of being absolute, constraints have *thresholds*. A constraint can be morally overridden if its threshold is met. The way Kagan describes this is that in some cases a constraint can be infringed, but not violated (80). If we do not follow a constraint because its threshold has been surpassed, then we are merely *infringing* the constraint, "not all constraint infringements are forbidden" (80). *Violating* a constraint involves breaking a constraint in which its threshold has not been met, breaking a constraint without moral justification. "Normally, of course, it does violate the constraint to infringe it; but when enough is at stake—when the threshold has been met—infringing the constraint is morally justified" (80). Another way to describe threshold constraints is that they have moral weight. If there is enough counterweight, due to alternative consequences or other conflicting constraints, one may be morally obligated to infringe a

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constraint (but by definition, we can never be morally obligated to violate a constraint).

Thresholds solve the problem of conflicting constraints. For moderate deontologists, there are no absolute constraints to conflict with each other. When threshold constraints conflict with each other, you simply have to determine which constraint holds more moral weight. In the case of the Nazi inspector, a moderate deontologist has many options available to her. For example, she could claim that a constraint demanding the protection of the innocent will surpass the threshold of a constraint against lying. So, the moderate deontologist could claim that in this scenario, you should lie to the inspector, without violating a constraint against lying (though you are still infringing it). Of course, depending on the particular set of constraints that the moderate deontologist holds, the scenario can be resolved innumerable ways.

Thresholds also solve the problem of extreme consequences. Although the moderate deontologist will claim that we should generally follow constraints, if the alternative consequences are extreme enough, they will meet the threshold for justifiably infringing any constraint. So, in extreme circumstances, say, if a million people are at risk, most moderate deontologists will claim that it is reasonable to override any particular moral constraint, when that threshold has been met. Actually, the scenario many not need to be extreme at all. Perhaps we should remain honest or nonviolent as long as it only puts our own life at risk, but if it puts anyone else at risk, the threshold against these constraints are met. A constraint can have a very high threshold, very low, or anywhere in between. Determining the particular weight of every constraint can be

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problematic for moderate deontologists.

At first glance, it may seem hard to distinguish between consequentialism and moderate deontology. Ultimately, whether a constraint has a high or low threshold, the moderate deontologist still concedes to good or bad consequences when enough is at stake. So shouldn't they simply be classified as consequentialists? The main difference is that for consequentialists, not only are best consequences supreme, but they are the *only* relevant normative factor in any scenario. The moderate deontologist claims that there are other normative factors of intrinsic normative significance. They can be overridden if consequences are great enough, but best results are not necessarily the last word for moderate deontologist. Threshold constraints still bar or demand certain actions that do not maximize overall good results. As long as those results are not extreme, we should follow constraints rather than the dictates of best consequences. A scenario does not necessarily need to be extreme. A moderate deontologist could hold to constraints with very low thresholds. As long as they consider other normative factors as intrinsically significant other than maximizing net good outcomes, they are not consequentialists (in Kagan's sense of the term).[28] As long as a theory admits of constraints, no matter how weak these constraints are, it is deontologist.

28 As noted in Chapter 2, it is important to point out any definition of consequentialism and deontology is controversial, including Kagan's. For example, some philosophers will claim that consequentialists can hold other normative factors as intrinsically significant as long as the only absolute rule is that of best consequences; any theory is consequentialist if it holds that best consequences are supreme and can override any other moral law. Under this formulation, most forms of Kagan's 'moderate deontology' will fall under consequentialism instead. This is just one example of many of how the theories can be defined differently. I will not engage in the debate of how to properly define the various moral theories here; rather, I will apply Kagan's distinctions as they stand.

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3.3 The Case for a High Threshold

The case for classifying Gandhian nonviolence as a threshold constraint is strong. So much so that I think most Gandhi scholars would classify nonviolence as such, if they did not already classify it as an optimific rule. This is to say that most scholars claim that Gandhi is not an absolutist. This is because there are numerous instances that Gandhi seems to endorse violence, which implies that Gandhi admits of exceptions to nonviolence. Gandhi seems to support violence in many places throughout his writings. We will look at three examples, among many available, in order to give us a baseline for understanding the objection to classifying Gandhi as an absolutist.

The first example is an article where Gandhi condones selective cases of killing dogs. He first claims that rabid dogs should be killed, since they are suffering from an incurable disease. He also suggests that it may be unavoidable to kill nuisance stray dogs as well. Many may not consider this a problem for Gandhi's theory in the west, as many do not consider killing of animals to be violent, but for Gandhi and many of his followers, harming animals was as serious as harming humans. Gandhi's position was quite controversial in his community and sparked a rich debate on the subject about which Gandhi wrote eight separate articles to address objections.[29] Gandhi elsewhere takes similar positions concerning destructive monkeys and deadly snakes. Additionally, we saw in chapter 1 that Gandhi approved of the killing of a calf that was terminally ill (this was equally controversial in his community). Though Gandhi holds animals in high

29 These articles can be found in volume 36 and 37 of *Collected Works of Mahatma Gandhi* under the titles "'Is this Humanity?' I through VIII.

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regard in comparison with most western views, there are many cases where he seems to condone the killing of animals.

Though it is less common, there are cases where Gandhi seems to condone violence toward humans as well. In this second example, Gandhi astonishingly opposes a solder who fires in the air instead of at a person:

> A soldier who having enlisted himself flattered himself that he was avoiding violence by shooting in the air did no credit to his courage or to his creed of nonviolence. In my scheme of things such a man would be held to be guilty of untruth and cowardice both – cowardice in that in order to escape punishment he enlisted, and untruth in that he enlisted to serve as a soldier and did not fire as expected. (*Satyagraha* 361)

The implication is that if one enlists in the military, one should participate in the foreknown violence that the military demands. Here, it seems that Gandhi would rather you kill, perhaps thousands, and live honestly and courageously than secretly live an inauthentic cowardly life. If you are truly opposed to the military, or the current war (etc.), then you should openly refuse service and accept the consequences, displaying bravery and honesty. Otherwise, a soldier should participate fully in his duties.

The last example concerns the most common question for nonviolence: is violence permitted in defense of self or others? When it comes to choosing between violent self-defense and running away, Gandhi is very clear that violence should be

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preferred:

> My non-violence does not admit of running away from danger and leaving dear ones unprotected. Between violence and cowardly flight, I can only prefer violence to cowardice. (*CW* 28:49)

Here, once again, we see that Gandhi prefers violence over sacrificing a virtue (courage). So for self-defense, Gandhi claims that if one is unable to defend loved ones nonviolently, for whatever reason, one should at least defend them violently. One could point out that this statement by Gandhi, strictly speaking, only supports violent defense when others are at risk. However, elsewhere the same principle is still applied for pure self-defense, when loved ones are taken out of the equation: "he who cannot protect himself . . . or their honour by non-violently facing death, may and ought to do so by violently dealing with the oppressor" (*CW* 43:83). Here, he even uses a stronger normative term, 'ought.' So not only does he prefer violence over cowardly flight, he claims that one has a moral obligation to defend violently if one cannot do so nonviolently.

Taking these and other examples in account, most argue that Gandhi is not an absolutist concerning nonviolence, that nonviolence admits of exceptions. Taking this interpretation, William Borman concludes in his book on Gandhi, that "Gandhi's final value is *not* non-violence" (252). Gandhian nonviolence, at base, is no different from the common sense ethic that it is better to resolve major conflict without violence if possible,

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but violence can be justified otherwise. Many deontological theories hold a threshold constraint against violence; Gandhi may have a higher threshold for the constraint against violence than most, but the theory itself is not so novel. Like other moral philosophies, violence, although bad, can be justified in certain instances. In this view, what is notable about Gandhi is the success of his nonviolent resistance, not his philosophy of nonviolence. His development and implementation of nonviolent resistance is indeed admirable, but at its core, his philosophy of nonviolence is no different from the generally held view of violence.

3.4 The Case for Absolutism

There are two central problems for the threshold constraint view of Gandhian nonviolence. First is the fact that Gandhi commonly describes nonviolence as admitting of no exception. He claims that "violence can never be lawful" (*CW* 92:348). In a stronger statement, he states, "non-violence as the supreme law of our being ceases to be such the moment you talk of exceptions" (*CW* 70:263). Gandhi characterizes nonviolence as rejection of violence in all forms, without exception. The second problem is that in a little known article titled "Greatest Good of All," Gandhi explicitly describes his theory of nonviolence as absolutist in contrast to utilitarian (*CW* 37:381). The proponent of the threshold view must somehow account for these instances. They could claim that Gandhi was a prolific writer, and that he is bound to contradict himself in some cases; the numerous cases where Gandhi condones the use of violence show that he truly held

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nonviolence as a threshold constraint. They could also claim that in the cases where he characterizes nonviolence as absolute, Gandhi was simplifying his view for the sake of discussion. In this view, Gandhi held nonviolence as an extremely high threshold constraint compared to most, so, at times, it is much easier to generalize it as absolute (even though he allows for limited exceptions).

I maintain, however, that Gandhi should properly be considered an absolutist. We can make sense of the examples of seeming exceptions to nonviolence from an absolutist framework. This is to say that Gandhi's views concerning nonviolence, when clarified, do not contradict each other; we can account for both his absolutist statements and his statements that seem to prefer violence. In this view, Gandhi's theory remains distinctive in that it does categorically reject violence. There are two ways that we can account for the seeming exceptions to Gandhi's law of nonviolence. First, some of the cases should not properly be defined as violence; second, most of the cases are expressing preference concerning bad options, not statements of moral justification.

Some cases seem to be exceptions to the law of nonviolence, but are actually not acts of violence in a Gandhian sense. If we recall chapter 1, section 3.4, Gandhi's definition of violence is based on intentions rather than actions. An action is violent if it is done out of ill-will. If we are harming an individual, with the best intentions toward that individual in mind, such as surgery, the action is not violent. As such, there are cases in which Gandhi condones harming or killing of an individual for the sake of that individual. This applies to the example of Gandhi claiming that rabid dogs should be

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killed. In this case, Gandhi does not consider the killing of rabid dogs, when properly conducted, as violent. He claims that, although rare, there are instances where killing is nonviolent, and even cases “in which not to kill would spell *himsa* [violence]” (*CW* 43:59). For the same reason that the euthanasia of the calf discussed in chapter 1 should not be considered as a violent act, neither should the killing of rabid dogs. The act is nonviolent as long as the destruction of the dogs is performed with the best interest of the dogs in mind, since they are terminally ill and suffering. The killing must also follow Gandhi's other guidelines as previously discussed. Precautions are necessary to insure that it is truly in the best interest of the dog. So, in rare cases, killing can be viewed as a nonviolent beneficial force rather than violence.

As for the other examples, the killing of nuisance animals, the soldier shooting in the air, and the cowardly flight, these can be explained as Gandhi giving a preference considering a set of immoral options. This argument against the seeming contradictions deals with logical denotation; just because a person prefers a certain action over another, does not mean that person finds that action morally justified. For Gandhi, preferring violence in certain situations does not necessarily mean that he finds violence morally justifiable in those situations. The argument is simply that one can prefer one thing over another without thinking that it is morally permissible. This is the central claim within Bart Gruzalski’s article "Gandhi's Challenge to our Paradigm of Justifiable Violence."

Gruzalski accepts that Gandhi finds violence sometimes preferable; however, he states, “to prefer an action is not to condone it or to find it justifiable” (9). To illustrate

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this point, Gruzalski gives the example of a vegetarian who is morally opposed to eating animals, but can nonetheless prefer that others eat wild fish instead of more sentient animals from factory farms. Even though the vegetarian does not think that the eating of wild fish is justified, she prefers it over worse practices (9). Gruzalski finds this analogous to Gandhi's writings on violence — Gandhi does not think that violence is justified, he just prefers it to worse practices.

Consider the soldier example, where Gandhi criticizes the soldier shooting in the air instead of at the target as inauthentic and cowardly. It is clear from this that Gandhi prefers violence over untruth and cowardice, but statements such as "non-violence is the supreme law" (*CW* 74:308) denote that he also categorically prefers nonviolence over violence. Ultimately, he would rather the soldier to take a stand against violence altogether, publicly and courageously; Gandhi states that for the soldier to remain consistent with the value of nonviolence, not only must he "refuse military service" but he also must actively participate in "non-co-operation with the whole system which supports the State [which is participating in warfare]" (*Satyagraha* 359). The ideal and morally justified action is to resist war openly and nonviolently. If one believes in the war and enlists, it is better for him to perform his violent duties courageously and honestly, but it is still morally insufficient compared to the ideal. So, just as the vegetarian can prefer eating of wild fish without thinking it is justified, Gandhi can prefer honest, courageous violence, without thinking it is morally justified. The same can be said for Gandhi's view concerning self-defense. Gandhi can prefer courageous violence in self-

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defense over cowardly flight, all the while finding nonviolent self-defense the only justifiable position. Both violent self-defense and cowardly flight are moral failures; the former is simply better compared to the latter. So, between the two options you ought to resist violently, even though they are both moral lapses.

Gruzalski admits there is a small problem with his analogy. For the vegetarian, the eating of wild fish is closer to the value of better treatment of animals, that is why she prefers it over eating factory farm animals. To the vegetarian, there is less harm in eating wild fish than eating factory farm animals. However, for Gandhi, there seems to be more violence in his preference of the soldier shooting at the enemy than shooting in the air,[30] or for one to fight violently over running away. Gruzalski does not feel the need to address this incongruence. This is because the main point of the vegetarian analogy still stands, that the "preferable" is not equal to the "justifiable" (Gruzalski 11); so by preferring violence Gandhi does not necessarily contradict his principle of nonviolence, that no violence is justified.

One way we can try to address this problem is to claim that what Gandhi was attempting to emphasize was that cowardice is antithetical to nonviolence. This is most likely due to the positive nature of Gandhian nonviolence. It is helpful here to recall the distinction between un-violence and nonviolence as described in chapter 1. *Un-violence* is a simple lack of violence; whereas *nonviolence* is a positive and negative constraint,

30 In the case of the soldier shooting in the air, Gandhi does not actually say that the soldier would be better to shoot at the opponent but rather that it not morally admirable or nonviolent to secretly shoot in the air. However, it could be interpreted as Gandhi giving a preference of shooting at the enemy rather than in the air. I use the latter interpretation for the sake of argument.

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with the positive aspect primary. Nonviolence does demand un-violence; however, nonviolence primarily demands that we have and act upon universal love for all individuals. Nonviolence demands that we care for others and act upon that care. Nonviolence also demands self-control, the ability to resist desires for retribution or harm. Although cowardice can be un-violent, Gandhi claims that cowardice can never be nonviolent. Cowardice places fear above helping others and is a lapse of self-control. In both ways, cowardice is problematic/antithetical to nonviolence. To Gandhi, nonviolence and violence are primarily a mental activities, so, as odd as it sounds, physically violent resistance to evil can be closer to nonviolence than cowardly flight (though both are morally reprehensible).

3.5 Unattainable Ideal: Excusable vs. Permissible

Gandhi admits that because of our human faults, we can never achieve perfect nonviolence. Absolute nonviolence is the moral standard that we should live by, but ultimately it an unattainable standard. Gandhi likens absolute principles of morality to the absolute principles of geometry. A perfect triangle or circle may be impossible to produce in practice, but they are still the standards we use in geometric calculations. Gandhi's favorite example in this train of thought is comparing nonviolence to the Euclid's concept of a perfect line:

> *Ahimsa paramo dharmah* [Nonviolence is the supreme duty] is one of the highest truths of life. Any fall from it must be regarded as a fall. Euclid’s

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> straight line may not be capable of being drawn on a blackboard. But the impossibility of the task cannot be permitted to alter the definition. (*CW* 30:446).

Though we cannot achieve perfect moral living, we should always strive toward the impossible standard. So even though nonviolence is an absolute constraint, we are expected to fail at living a totally nonviolent life. Nonetheless, the absolute demands of nonviolence remain. We have to constantly attempt to get closer to living perfect nonviolence.

One way to make sense of Gandhi's absolutism is Kagan's distinction between excusable and permissible actions. An action is morally *permissible* if it conforms to moral precepts; they are morally justified. Alternatively, an action could be morally impermissible, yet *excusable*. A morally *excusable* action is one that may infringe moral precepts, but is understandable under the circumstances and free of blame; "circumstances that merely *excuse* don't affect the moral permissibility of the act; they merely alter our willingness to blame the agent should the forbidden act be performed anyway" (Kagan 91). Although Gandhi holds that killing nuisance animals or violent self-defense is morally forbidden, in certain circumstances, he holds that they are morally excusable. We should not blame others for the faults that we all share. None of us can achieve perfect nonviolence, and certain situations are harder to adhere to nonviolence than others, especially for those who do not have training in nonviolent alternatives. Though the action should still be criticized, alternatives pointed out, we shouldn't

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necessarily consider the individual to be blameworthy. This is to say that Gandhi allows for practical exceptions to the rule of nonviolence, but not moral exceptions.

Due to our human faults, a nonviolent option may not be available to us in every situation. So we must perform the next best option, whatever that may be. So, in practice, Gandhi's absolutism will play out similarly to moderate deontology; we will have to compare various constraints and pick an action that conforms to most though perhaps not all of moral constraints.[31] Though theoretically distinct, Gandhi's absolute constraint of nonviolence will play out nearly identically to a high threshold constraint of nonviolence. Although in a technical sense, Gandhian nonviolence should be considered absolutist, Gandhi's absolutism does not fit the general sense of the term, a hardline insistence of adhering to a rule not matter what; so it may be better to call Gandhi a psuedo-absolutist in a colloquial sense. In a technical sense, Gandhi is still an absolutist. The main difference in practice between this form of absolute deontology and a similar moderate form is that for Gandhi, when we excusably break the constraint of nonviolence, we should still acknowledge that this was impermissible and a violation of the constraint; thus, we should strive to seek alternatives in future similar scenarios. Whereas for the moderate deontologist, the action was completely morally justified, and no further thought to the matter is necessary.

31 Here is an example of this process concerning the dog example: "But a city-dweller who is responsible for the protection of lives under his care and who does not possess the virtues of the recluse [sage], but is capable of destroying a rabid dog, *is faced with a conflict of duties.* If he kills the dog, he commits a sin. If he does not kill it, he commits a graver sin. *So he prefers to commit the lesser one and save himself from the graver.*" (*CW* 36:391), my emphasis. Notice that he regards both options as sins. Gandhi admits of no-win scenarios in which we must pick the worst of morally bad options.

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I will conclude with an analysis of a statement by Gandhi that shows that he was aware of the problem addressed in this chapter. He was aware that some found his preference of violence in certain situations as contradictory to his larger philosophy of nonviolence:

> Several readers ask me whether in the violence "permitted" by me several things mentioned by them could be included. . . . The writers should reread my article[s] . . . Above all I have never permitted violence. I have simply stated two grades of bravery and cowardice. *The only thing lawful is non-violence. Violence can never be lawful* in the sense meant here, i. e., not according to man-made law but according to the law made by Nature for man. *Though violence is not lawful*, when it is offered in self-defence or for the defence of the defenceless, it is an act of bravery far better than cowardly submission. The latter befits neither man nor woman. Under violence, there are many stages and varieties of bravery. Every man must judge this for himself. No other person can or has the right.[32] (*CW* 92:348)

This single response summarizes the conclusions of this chapter. Gandhi articulates that he does not find violence justifiable in any form; what is justified is nonviolence. Gandhi thereby retains his philosophical distinctiveness, in that the vast majority of ethicists claim that violence is justified in certain circumstance, instead of simply preferable. Since preferable does not equal morally justifiable, Gandhi can hold that certain violent acts are

32 My emphases.

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preferable to other actions. More than a classification of action, Gandhian nonviolence is a principle, a virtue, an ideal to work towards. Gandhi's preference of violent protection over cowardly flight would be a contradiction if nonviolence (*ahimsa*) = un-violence (no violence). Since instead, nonviolence is a much broader concept, he is able to deem one who courageously defends his family from violence, using violence, as closer to nonviolence than running away; according to Gandhi, violent bravery is closer to nonviolence than cowardly un-violence. Running away achieves the goal of un-violence, but not the necessary goals of nonviolence, e.g. courage, resistance to violence, and so on. Therefore, we come to the odd, but now apparent conclusion that Gandhi can prefer a violent action over an *un*-violent action, and remain consistent with his philosophy of *non*violence. Though Gandhi holds that some violent actions are morally excusable, violence is never morally permissible; thereby, Gandhian nonviolence should properly be considered as an absolute constraint, and Gandhi as an absolutist deontologist.

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4. CONCLUSION: GANDHI, THE ABSOLUTIST DEONTOLOGIST

This thesis has merely scratched the surface of interpreting and clarifying Gandhi's philosophy of nonviolence from the perspective of normative ethics. There are many relevant questions from the field of philosophical ethics that should be asked of Gandhian nonviolence. Some examples that stem from Kagan's book include: does Gandhian nonviolence admit of a distinction between doing and allowing violence? How much risk of harm are we allowed? How does the constraint of nonviolence account for moral culpability and punishment? Nonetheless, classifying Gandhian nonviolence as an absolute constraint gives us the groundwork for further studies concerning normative factors and foundations of nonviolence. This is the first step in creating a complete normative theory of Gandhian nonviolence.

I will conclude with a quote by Gandhi that summarizes the points made in this work. After reading through countless pages of Gandhi's writings, it was a treat to stumble upon a letter in which he concisely compiles his views on nonviolence. This letter was written just a few years before his assassination, which shows that he retained his philosophy of nonviolence even through his elderly years. Here Gandhi reaffirms to an English correspondent that nonviolence is a supreme moral law regardless of consequences, based in love, and admits of no moral exceptions. In the language of normative ethics, Gandhi reaffirms that nonviolence is a positive and negative absolute

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constraint; as such, Gandhi is an absolutist deontologist.

> Please tell all our English friends that we all do our duty regardless of result. Has not an English divine said that "duty will be merit when debt becomes a donation"? Non-violence, translated 'love', is the supreme law for human beings. It knows no exception. I have tried all these years to live by that law and hope to die in that state.
>
> *Yours,*
>
> M. K. GANDHI (*CW* 85:321)

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APPENDIX I

INSTRUMENTAL ARGUMENTS FOR NONVIOLENCE

Gandhi has numerous instrumental arguments for nonviolence and against violence. They are instrumental in that they intended to show that violence leads to overall bad outcomes or that nonviolence leads to the best overall consequences. Instrumental arguments are powerful in that they have weight for most moral theories. A normative value for good outcomes is nearly universal; consequentialists claim that this is the only intrinsically valuable moral factor, whereas most deontologists claim that it is one of multiple intrinsic principles. A strictly deontological constraint argument for or against an act may have little or no weight to a consequentialist, since consequentialists do not find constraints intrinsically significant. However, an instrumental argument for or against an act will still have weight to a deontologist, just not as much weight as a consequentialist. In other words, the following arguments are important and powerful since they have near universal appeal, whereas Gandhi's arguments based on nonviolence as a universal law/constraint may not, since some many theorists reject the possibility of constraints and laws in the first place.

1. Violence Leads to Vicious Cycle

"To answer brutality with brutality is to admit one's moral and intellectual bankruptcy and it can only start a vicious circle" (*Mind of Gandhi* 147).

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Gandhi claims that violence inevitably leads to a descending cycle. The claim is that when we use violence as a solution to a problem, violence is likely to be returned in some way. This is the basis of the famous quote commonly attributed to Gandhi, "an eye for an eye will make the whole world go blind."[33] In a simplistic sense, when I use violence against someone else, usually either the victim or someone who identifies with the victim will want to harm me or someone close to me in response. If we hold that violence is the correct response to violence directed at you, then you must hold the same as true for everyone else. But if it is true for the aggressor as well, when we respond to violence with violence, the original aggressor is now justified in responding to our violence with further violence. So by using violent defense, we only justify the opponent's further use of violence.

The only way to avoid a cycle of violence or to break an existing cycle is through nonviolence.

> He is not to return violence by violence, but neutralize it by withholding one's hand and, at the same time, refusing to submit to the demand. This is the only civilized way of going on in the world. Any other course can only lead to a race for armaments interspersed by periods of peace which is by necessity and brought

33 There is no evidence that Gandhi said this exact phrase. It does not appear in any of Gandhi's written works or records of conversions, including the exhaustive *Collective Works of Mahatma Gandhi*. However, QuoteInvestigator.com reports that "the Gandhi family believes it is an authentic Gandhi quotation, but no example of its use by the Indian leader has ever been discovered." Nonetheless, the phrase is certainly in the Gandhian spirit. Gandhi does directly argue against the principle of "eye for an eye" in many places, see (*CW* 18:361), (*CW* 54:308), (*CW* 93:312), "What do you gain by taking an eye for an eye?" (*CW* 96:71).

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> about by exhaustion, when preparations would be going on for violence of a superior order. Peace through superior violence inevitably leads to the atom bomb and all that it stands for. (*CW* 94:99)

Here we see that Gandhi claims that this cycle starts on the micro-level of interpersonal relations but ends on the macro-level of political policy. If we accept violence as a problem solving tool, or accept violence as an appropriate response to violence, we will first, as individuals, create a more violent society, and second, our society will create a more violent world where a single weapon can kill millions.

A version of the argument can be formulated as follows:

1. Axiom1: We should use violence in response to violence.
2. If A uses violence against B, then B should use violence against A.
3. If B uses violence against A, then A should use violence against B.
4. If A or B uses violence and follows Axiom1, (2) and (3) will imply an infinite cycle of violence.
5. Therefore, we should not hold to Axiom1.

On a basic level, I think this works. Using Axiom1 as a moral imperative is untenable. However, I do not think that most hold to this simple form of "eye for an eye." The argument does not account for more sophisticated versions of defense or retribution.[34] For

34 There are simpler versions it does not account for as well. For example, a simpler way to prevent the infinite cycle of violence is to say that we are permitted violence in response to violence, as long as it is less than the aggressors'. This could still lead to a cycle of violence, but this cycle would eventually

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example:

1. Axiom2: We should use proportionate violence against an aggressor, only if the aggressor is the instigator of violence, and only if there is no other option to stop the aggressor.[35]

2. If A uses violence against B, then B should use violence against A only if the violence is proportionate, if A is the aggressor/instigator of the violence, and there is no other feasible option to stop the aggressor.

Using Axiom2 as a moral imperative does not necessarily lead to a cycle of violence. Gandhi could argue that we are likely to perceive the other as the instigator and aggressor whether they are or not, and that we tend to assume that violence is the only effective method to deal with violence (since we are not educated in nonviolence). So Axiom2 is still likely in practice to lead to a cycle of violence, even though it does not by definition. Furthermore, in many cases each party is partially responsible for instigating violence and portraying subtle forms of aggression. This would blur axiom2 further, and potentially itself lead to a cycle of violence.

Even though Gandhi's basic argument does not seem to work against more sophisticated attempts to justify use of violence, there are avenues for Gandhian responses to these more complex views of violence. The argument is at the very least

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fade away as the responses become smaller and smaller. However, this type of cycle could still last a long time. Furthermore, most intuitively find that if we are justified in returning violence for violence, we should be justified in return at least an equal amount ('an eye for an eye'), or that we should be justified in returning even more harm as a deterrence.

35 This can be seen as an overly simplistic version of Just War Theory.

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versatile. The basic argument that Gandhi makes is successful against a basic view of moral violence, and can be adapted to respond to more complex views. Furthermore, if nonviolent resistance is effective as Gandhi claims, more education and training in it would render Axiom2 obsolete, as well as any other justification for violence that incorporates a 'last resort' clause.

2. Nonviolence and Violence Spread by Example

"And the gospel of ahimsa can be spread only through believers dying for the cause." (*CW* 90:374)

Another version of the "vicious cycle" argument is based on the power of example. Gandhi claims that we learn to be violent or nonviolent by the example of others. A powerful act of nonviolence will lead to others imitating at least lesser forms of nonviolence, and a powerful act of violence will lead others to resort to at least lesser form of violence in the future. This most certainly will be affected by the societal acceptance or denouncement of an act. Violent or nonviolent actions that are sanctioned or even praised by society are more likely to be repeated and imitated. But even those that are denounced will insight like actions in others. It is human nature to learn from others examples from birth onward. So when we make a consequential calculation for an action, we not only have to account for the immediate outcomes, but also the innumerable like actions it will contribute to. If we take these into account, by consequential reasoning, we should always perform nonviolent actions over violent ones. Even if the

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immediate consequences of a nonviolent action are bad, the overall good from inspiring other nonviolent actions in the long-term will outweigh short-term loss. Likewise, even if the immediate consequences of a violent action are good, the overall bad from inspiring other violent actions in the future will out weigh the short-term gain.

This argument highlights the difficulty in making decisions solely on a consequentialist framework. To determine the correct action for a consequentialist, you have to not only calculate the net good immediate outcomes, but the over all good consequences ad infinitum. Will this violent or nonviolent action lead to the best over all good 10 years from now? 50? 100? 1000? The Gandhian claim is that if we take a long-term view, since violence and nonviolence spread culturally by example, we should always strive for perfect nonviolence, as it will lead to the best overall outcomes, regardless of short term results.

What if there is no one around to see your violent act? If, for example, imagine a scenario where killing a person leads to the best immediate overall results. As long as it is done out of sight and the body effectively hidden, we could eliminate the long term repercussions, since there was no one to see the act and no example was set. Gandhi could counter that we would eventually assume something violent happened to them, and thereby an example is still set. But imagine further that it was set up to look like an accident. As long as the violent act was done thoroughly, there theoretically could be no violent example set to others (and thus avoiding the long term problem). There are a couple ways the Gandhian could respond to this objection. First, it is unlikely that we can

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be completely confident that the violent act will never be discovered, so we should err on the safe-side and assume that it will. Second, it is possible to set an example for yourself. Performing an action habituates ourselves to that type of action and makes us more likely to perform a similar action in the future. So we still do not avoid the long-term problem completely.

The ‘example’ argument is a hard argument to confirm or deny. It is true that we learn a great deal by example, especially as children, but as adults as well. But does this necessarily mean that our every action will have such lasting repercussions, based on the example you set by them alone? The influence set by our example of violent or nonviolent actions may be too minimal to outweigh immediate consequences. An opponent of this argument could argue that, although we should take in account the implications of the examples our actions set, this influence for most actions are minimal. The likelihood that a single action, especially if it is not a highly public one, will greatly influence another to act likewise is minimal in adults. The affect of our actions as examples are subtle, and do not generally carry enough weight to affect the calculations of the overall consequences of an action. The Gandhian can still counter the opposite, that it may seem that the example we set has little affect on the actions of others, but this is only because it is not possibly to see all of the actions that we have influenced. Furthermore, we often don’t realize the power of our example, and so when someone acts in a similar fashion that you did, you generally do not realize that your example had a subconscious role. The problem here is that it is objectively unclear of the overall

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influence of our examples. This is because it is something that is impossible to observe. This is a problem for both sides of the argument.

My inkling is that our role concerning other people's actions are more intertwined than we generally give credit for, that we commonly re-enforce each others behavior on the conscious and sub-conscious level. So, in some sense, we bear partial responsibility to most actions performed by those close to us, and even more for our immediate family, and to a lesser extent to those in the larger society and world. This is perhaps a partial reason that Gandhi often punished himself for the actions of others (most of the time in the form of fasts). If the 'example' argument is ultimately well grounded, this has profound implications on the notion of personal responsibility. Nonetheless, I do not think that the 'example' argument alone is strong enough to claim that we should always be nonviolent, but rather that we should give special preference and consideration to nonviolent solutions. As I have discussed previously, it is difficult, if not impossible, to make universal claims on instrumental grounds alone.

3. Nonviolent Resistance as an Alternative to Violence

"I hold that, if we succeed with the English with unadulterated nonviolent effort, we must succeed with the others" (*Mind of Gandhi* 151).

Gandhi claims to have developed a form of nonviolent resistance that can be adapted to nearly every situation. Gandhi claims that since nonviolence was effective on

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such a grand scale in India (and previously in South Africa), it shows that we have effective nonviolent responses available to us, even in complicated and oppressive circumstances. So since we have proven nonviolent methods, we cannot morally resort to violence. This argument is based on a nearly universal principle: if we have the ability to reach a goal without the use of violence, we are required to do so. This principle is nearly universally accepted no matter the ethical theory. It is obvious from a consequentialist point of view. If we achieve a goal without harm, we will end up with more overall good than if we achieved the same goal with the aid of harm. This holds on deontological grounds as well, where the absence of violence is standard state, and violence is generally only normative if it is absolutely necessary (and generally only as a last resort). A version of the argument can be formulated as:

1. Axiom3: if we have the ability to reach a goal without the use of violence, we are required to do so.
2. Nonviolent resistance has been shown to successfully achieve some of the toughest of goals, such as achieving independence from a foreign nation.
3. If nonviolent resistance works in some of the toughest of circumstances, it will likely work in lesser ones and will likely work in other tough circumstances as well.
4. So, we likely have the ability to reach all goals without the use of violence.
5. Thus, by Axiom3, we are likely required to never use violence.

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This argument in lesser forms is the most widely accepted Gandhian argument. Most would not take the argument as far as Gandhi would like. Some will claim that Gandhi has given us the option to avoid violence in most situations, but not all. Many claim that Gandhi has only made *violent revolution* obsolete, and only when dealing with a western type state that values individual rights. They will claim that Gandhi has shown us that nonviolent resistance is an appropriate replacement to violent revolution in many circumstances, but not universally.

At the very least, Gandhi has shown us that by taking on nonviolence as a value, we are able to achieve many things without violence that we previously did not think possible. This should cast some doubt concerning the many other areas in society which we consider violence as a necessity. Gandhi's argument at its very weakest should make us question the grounds of violence wherever we see them, and we should thus continually strive to develop alternatives. Even if we think that the methods Gandhi developed have limited use, he nonetheless was able to achieve what was thought to be impossible without violence. Gandhi and India's actions have bestowed a duty on every individual to consider, study, and further develop nonviolent responses.

4. Only Voluntary Self-Harm with Nonviolence

"The great beauty of non-violent effort lies in the fact that its failure can only harm those who are in it, while its success is sure to promote all-round good." (*CW* 80:61).

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In this argument, Gandhi claims that those who stick by nonviolent action do not risk harming others, but only themselves. In a violent effort, you risk harm to both parties, whereas a nonviolent effort only risks harm to one. This is because nonviolence calls for self-suffering over causing harm against others. For Gandhi, someone who is wholly devoted to nonviolence would rather allow himself be injured or slain than strike back at an aggressor. He believes that the act of voluntary self-sacrifice (somewhat similar to the power of martyrdom as mention in chapter 1) has the ability to transform the heart of the opponent and does more for one's cause than violence ever could. In the best cases, nonviolence can diffuse the violent situation altogether. An aggressor generally expects his aggression to be returned, which will justify continued aggression by both parties. When violence or aggression is not returned, and the nonviolent practitioner remains loving, compassionate, and courageous, the aggressor often will refrain from using further violence, perhaps out of confusion, shock, or admiration. So, in the best situations, nonviolence ends with neither party being harmed.

In the worst cases, the opponent does not have a change of heart before harming the nonviolent practitioner. The nonviolent person could be injured or even killed. But even in this scenario, the pure self-sacrifice of nonviolence does not risk the physical harm of the opponent, whereas a violent response will necessarily risk injury or death of both parties. Nonviolence at its best ends with no one being harmed, and at its worst ends with only the practitioner being harmed. Violence at its best will end with one person being harmed, at its worst end with many people being harmed. In a simplistic consequen-

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tialist calculation, one person being harmed is better than two, so a nonviolent response is still preferred.

This argument can be formulated as:

1. Axiom4: We should take the course of action that harms the least number of people.
2. Nonviolence at its best harm no one, and at its worst only risks harm to one person, the practitioner.
3. Violence at its best harms at least one person, the victim, and at its worst risks harm of at many people.
4. Therefore, by Axiom4, we should only use nonviolence.

Some versions of consequentialism would hold to Axiom4, but most would question its merit. They would claim that it is overall harm that must be taken into account, not simply how many people are harmed. If a violent response ended with minimal harm on both parties, it would be preferable over a nonviolent response that ends in severe harm of one party. Imagine that you are attacked, and you know the assailant intends to kill you. If you could stop yourself from being killed with minimal violence, let us say by the use of pepper spray, though both parties were harmed (you from the initial attack, him from the pepper spray), it is less overall harm than if you had let him kill you. In this situation, the violent response would be preferable to most consequentialists, as it leads to less overall harm, even though more overall people were harmed.

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Another point of contention is premise 2, that nonviolence only risks harm against the practitioner. Is it true that by following Gandhian nonviolence, we only risk harm to ourselves? In the case of individual self-defense, this may be true. If someone attacks you and only you, if your nonviolent efforts in defense fail, you are the only one who risks harm from the assailant. However, consider someone attacking a group of people. If your nonviolent efforts succeed, it would lead to the best results of little or no harm. If your nonviolent efforts fail in this scenario, now the entire targeted group risks harm, not just you. It seems that premise 2 is not as universal as it needs to be. (It is certainly possible that we are making Gandhi's claim stronger than he intended).

Though this argument has problems from an instrumental point of view, it can be reformulated as a deontological argument, emphasizing that there is a constraint against harming others who do not wish to be harmed, but that this constraint may not exist against the willing, or if it does, it is of a lesser degree. We will address this argument again in the next appendix from the point of view of constraints.

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APPENDIX II

CONSTRAINT ARGUMENTS FOR NONVIOLENCE

Although Gandhi less often argued for the intrinsic value of nonviolence, it is clear that he held the ethical principle as intrinsically significant. Nonetheless, there are cases where he either gives explicit constraint arguments for nonviolence or we can infer implicit arguments based upon his statements. Gandhi commonly characterized nonviolence as a moral constraint, that we should follow because nonviolence is a moral law. There are more instances of instrumental arguments for nonviolence by Gandhi because he held that if you couldn't follow nonviolence on "the highest ground of morality" you should still follow nonviolence "on the lower ground of expedience" (*CW* 31:373). This is to say, he not only found nonviolence as the moral means to India's independence, but he saw it as the practical means as well. He seemed to realize the problem with intrinsic arguments, they tend to be much less persuasive than instrumental arguments. Most people recognize instrumental value; we seem to have an innate value for good consequences over bad, so much that it seems almost silly to point out. However, if you used instrumental arguments toward someone who doesn't recognize the innate value of good consequences (and there are theorists that do), the arguments would have no weight. In the same way, it is hard to argue for a normative factor as intrinsically valuable if you audience does not already recognize it as so in some fashion. However, an

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argument can be valid and sound, yet less persuasive than an illogical one (as public politics generally proves). Furthermore, a proposition can be true, even if there is no effective way to argue in its favor. As we will see in argument 4, Gandhi seems to think that nonviolence is something that is better discovered through practice than argued for philosophically. Nonetheless, I will present arguments that Gandhi uses to present nonviolence as a moral constraint.

1. Only Voluntary Self-Harm with Nonviolence

"No one can harm us so much as we can harm ourselves." (*CW* 40:263).

"Nobody can hurt me without my permission."[36]

This argument was mentioned in the instrumental section, but a form of it works as a constraint argument as well. The deontological version of this argument emphasizes that there is a constraint against harming others who do not wish to be harmed, but that this constraint may not exist against the willing, or if it does, it is of a lesser degree. We are permitted to injure another in giving tattoos or performing surgery, as long as we have the consent of the person that would be harmed thereby. Alternatively, Gandhi could admit that there is both a constraint against harming the willing and unwilling, but that the constraint against harming the unwilling is stronger. So, if you are willing to be harmed by an aggressor rather than retaliating, either no constraint is being crossed, "cannot harm the willing," or at least a lesser constraint is transgress, less evil is

36 This quote is commonly attributed to Gandhi, but I have found no record of it in the *Collected Works of Mahatma Gandhi*, or any other primary source. I have found similar quotes, but none with the exact meaning. For example, "Man is his own friend or foe. No outside power can harm him." (*CW* 65:136).

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committed.

A version of this constraint argument can be formulated as:

1. Injury is only harm if done against the individual's will.
2. It is morally permissible to injure another with their consent (e.g. surgery, tattoos, piercings, etc.).
3. Nonviolence entails being willing to suffer injury rather than harm another.
4. In the case of nonviolent self-defense, the aggressor injures the willing nonviolent practitioner.
5. Since the aggressor is injuring with consent of the nonviolent practitioner, no harm is being done and no constraint is violated.
6. Violent self-defense entails two levels of injuring without consent, against the victim and aggressor, and so there are multiple cases of constraint violations.
7. So, we should be nonviolent rather than violent.

If we imagine a case of violent self-defense, both parties a likely to be injured against their will. If there is a constraint against harming another, it is doubly crossed. If we imagine a case of pure nonviolent self-defense, where the victim is willing to suffer any amount of injury rather than harm the aggressor, the nonviolent practitioner may be terribly injured, maybe even killed, but this is done with her consent, “I should die with a

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smile on my lips—I pray for such a good fortune" (*CW* 77:368).[37] So, no constraint is violated by the victim, and no constraint is crossed by the aggressor, since they are merely injuring the willing.

Most will question the notion that you can harm the willing in all cases, however. A hearsay real life example comes to mind. A man puts out an ad asking to be killed and eaten. An individual responds to, and after discussion assuring the morbid desire of the man, the responder carries out the man's desire. The proponent will argue that here is a case of injury with consent that should be considered morally impermissible, that the man was harmed and the responder performed a morally abhorrent act, even though the act was fulfilling an expressed desire of the injured.

Gandhi could respond that concerning the willingly cannibalized example, it is morally abhorrent to kill and eat an individual with their desire and consent, but it is even worse to kill and eat an individual without their consent. Most would agree that it is an evil of a different level to kill and eat an unwilling person, than to respond to an ad of someone who has the expressed bazaar desire to killed in such a way. Gandhi can modify the argument to account for this scenario, by altering premise 6 to say that "less constraints are violated" rather than "no constraint is violated." The aggressor still intends harm against the victim, though he is only causing injury. He does not violate a constraint against causing harm, but still violates a constraint against intending harm. Furthermore,

37 For an example of this see the following passage: "I shall claim to have acquired the non-violence of the brave when someone attacks me and I do not get angry; he delivers blows and I stand them; and there is no sign of pain but only a smile on my face even while dying; and my heart is filled with pity rather than anger" (*CW* 77:360).

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he could claim that we should only intend injury if it is in the best interest or betterment of the individual. Killing the willing will not violate any constraints, only if it is with their consent and in their best interest (such as select case of euthanasia as discussed in chapter 1 and 3). Killing the willing when it is not in there best interest is better than killing without the individuals consent, though both are morally impermissible. Less constraints are being violated, so it is better to be nonviolent.

2. Nonviolence as a Natural Law

"It is man's natural law not to retaliate. Though we have the human form, we are not truly human till we have fully realized the truth of the law and acted up to it" (*CW* 27:414-5).

Gandhi commonly describes nonviolence as a natural law. A natural law is a binding moral constraint that is discoverable by rationally analyzing our human nature. It is human nature that dictates that we should be nonviolent. It is not natural for us to harm others; this is why people who commit or witness horrible acts commonly suffer psychological trauma as a result. Human beings are not meant to harm, but to help each other. As such, it is only through being fully nonviolent that we realize our humanity. Another way to describe natural laws is that humans have a 'higher nature' and a 'lower nature.' Though it is natural for us to have violent impulses, our higher nature demands that we reject and control them. Our lower nature inclines us toward violence, hatred, and cowardice, but our higher nature demands nonviolence, love, and courage. Morality is a product of our higher nature; to become better individuals or in another sense, more

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human, we must work on fulfilling our higher nature.

This type of argument implies that Gandhi is a natural law theorist. *Natural Law Theory* is defined by the philosopher Russ Shafer-Lanau as "The normative ethical view that says that actions are right if and only if they are natural, and wrong if and only if they are unnatural; people are good to the extent that they fulfill their true nature, bad insofar as they do not" (G-5).

A version of Gandhi's natural law argument can be formulated as follows:

1. Axiom1: People are good to the extent that they fulfill their higher nature, bad insofar as they do not.
2. It is human higher nature to be nonviolent, to have universal love and to refrain from violence.
3. So, we should be nonviolent.

There are several problems with this argument. First, Axiom1 it relies that we accept Natural Law Theory before we can find the argument to be sound. If we reject Natural Law Theory, we will reject the argument from the start. Second, premise 2 does not offer any reason to why we should consider nonviolence as out higher nature, it merely points it out. This is a problem for much of natural law theory, that it is hard to argue for a constraint as our higher nature. How do we determine what is in our higher nature compared to lower? In argument 4, we will see that Gandhi suggests that the most we can

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due is point out our higher nature and be an example of it, it is up to others to discover it on their own.

3. Nonviolence as Divine Law

"Divine Power is also the source of ahimsa which works according to the Divine Law." (*CW* 81:188-9).

"I believe in Krishna … But my Krishna is the Lord of the universe, the creator, preserver and destroyer of us all. He may destroy because He creates." (*CW* 31:142).

The divine law argument is similar to the natural law argument, except that the divine law argument emphasizes that the moral constraint of nonviolence is grounded in the actions of the divine. This argument at least gives us a reason to hold nonviolence as a natural law. God forbids the use of violence. God created humans to overcome their egos and self-interest, with the goal obtaining universal love. We are made to care for and help each other; God did not make us to harm.

Gandhi also argues that since God created all things, only God has the right to destroy life. It is not permissible to harm anyone else, because we all belong to God. Since God created and sustains all things, only the divine has the right to destroy life, "God alone can harm or kill" (*CW* 97:164). We humans do not have the right to harm what God created. The philosopher John Locke actually makes a similar argument in the famous *Second Treatise of Government*; Locke claims that "men being all the workmanship" of God, we are all His property, and we shouldn't harm God's property

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(9). Locke later adds exceptions to this divine law, whereas Gandhi does not. We can call this type of argument 'Divine Creation' argument.

A version of the Divine Creation argument can be formulated as:

1. Axiom2: We are only permitted to destroy our own property.
2. Since God created all life, all life is God's property.
3. We are not permitted to destroy any life, as all life is God's property.

We first should note that this argument only supports non-destruction/non-killing, and therefore only an aspect of the larger notion of Gandhian nonviolence. This type of argument has several weak points. First, it relies on a belief in God, a claim that is quite controversial in western philosophy. Furthermore, someone could believe in God, or a god, but not as a universal creator; one could believe that the universe has always existed, and that God is a higher power, but not creator of all. Other theists may object to the concept of God owning every life, that just because you create something does not mean you own it. They will point out that factory workers create things that they do not own. Furthermore, you could create something, and then give it away. A theologian could claim that although God creates all life, he gives ownership of that life to the individual. Others will claim object to Axiom2, claiming that there are instances that we are permitted to destroy property of others, such as self-defense. Though there are objections abound, the argument nonetheless has weight among those who believe in God and certain rights of property.

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4. Nonviolence as Self-Evident, through Practice

"Language at best is but a poor vehicle for expressing one's thoughts in full. For me, non-violence is not a mere philosophical principle. It is the rule and the breath of my life." (*CW* 43:16).

"Non-violence cannot be preached. It has to be practised." (*CW* 70:262).

"It has nothing to do with chopping logic. It is something to be translated into action and experience. An ounce of practice is more profitable than tons of argumentation." (*CW* 55:36).

Gandhi ultimately claims that nonviolence is self-evident, a principle that we must discover through self-reflection and practice. Logical arguments have their limits. Nonviolence "is a matter not of the intellect but of the heart." (*CW* 43:16). The best way to convince yourself and others of the value of nonviolence is to personally experiment with the principle, attempt to put the law into action. Through the attempt of following the principle, we will recognize the self-evident truth of nonviolence. This type of argument, or non-argument, works well with Natural Law Theory. Since nonviolence is our higher human nature, all humans have the ability to recognize it as such. Rather than a philosophical puzzle to solve, nonviolence is a universal truth within each of us, waiting to be discovered, not logically demonstrated.

Gandhi, is not anti-logic, in fact he often emphasizes our ability to reason and our ability to solve conflicts rationally. His claim is that argumentation has limits, that we

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cannot discover nonviolence by pure reason alone. There is little worth in philosophizing about nonviolence, if we are not at the same time attempting to put the principle into practice. This is perhaps why he called his autobiography "The Story of My Experiments with Truth." Philosophy from the armchair is insufficient to prove moral claims; we must experiment with nonviolence as a life style. He claims the strongest argument for the constraint of nonviolence is the example of others who adhere to it, and direct the direct experience of putting the principle into practice yourself. Ultimately, Gandhi will claim that there is no way to formulate an argument for nonviolence, it is a natural law that is proved and realized through practice. This perhaps why Gandhi wrote just a couple months before his assassination, "My life is my message" (*CW* 97:418).[38]

38 And (*CW* 96:342).

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